

City votes to end marijuana lawsuit, what now?

Jason McMillen
IVN Contributing Writer

The city of Cave Junction sued the state of Oregon because it was allegedly unjust for the state to force the city to issue business licenses for something that was in violation of the city charter. The business license code states specifically, at least according to Mayor elect Daniel Dalegowski, that, “Businesses shall not violate state or federal law.” So, in summary, the question was if this disobedient state law takes precedence over the federal law.

However, now that the lawsuit has come to a conclusion, the mayor and city council must work diligently toward modifying the city code to the point where it will enable these businesses to become



licensed as soon as possible.

“The city is moving slowly ahead. We’re trying to figure out how we want to do this and how it’ll all work,” Dalegowski said before continuing, “It would have been nice to have some sort of package ready to go but we don’t.” As far as progress is concerned on the matter Dalegowski stated that they have some proposed language in the works but that they all need to come to agreement about updating the code.

The city council is arranging a date in which they can have everyone from the current and incoming government sit down to talk about the issue. Dalegowski also added that, in addition to the public at large, they want to invite both existing and potential business parties that will be affected by the changes.

As far as the difficulty of such modifications are concerned Dalegowski shed some light and hope on the area, “It looks to me, and some other members of staff that we have a lot of existing zoning regulations that are going to handle a lot of issues that we would have with cannabis business so, just for instance, if somebody is going to be doing butane extractions from cannabis leaf or flower we already have industrial zone regulations that require extensive setbacks if you’re using hazardous materials.” Dalegowski continued by stating that much of the legal infrastructure, aside from his singular example, is already in place but

some of the members of the council have some strong opinions about time, place and manner regulations which will take time to iron out.

“I would really like to rubber stamp this right now,” Dalegowski lamented before continuing, “But, you know, a lot of things in government should go slow. We should deliberate and the public should have the opportunity to be there.”

One solution that Dalegowski has proposed, among many that will be debated, is to simply change the code to where the city staff must only take action against an illegal business after a conviction has occurred with regards to federal or state law. On this point Dalegowski remarked that, “I think it’s too burdensome on the staff to be aware of what’s going on with a business in all its particulars and also to be aware of state and federal law to its full extent.”

Dalegowski gave an estimated date of completion sometime in January but also was cautious to say that the date is, “kind of a really rough estimate.” Ryan Nolan, city recorder, stated that he will update the people of Cave Junction as to the time and dates of workshops regarding this issue in the *Illinois Valley News* when the date is solidified.

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The council also tabled further discussion on establishing a fine for loading and unloading violations at development sites. There are over 400 developable lots in Cave Junction and citizens have complained about loading and unloading of heavy equipment at these sites which can cause soil and rocks to be dragged into the streets, degrading the storm drains and damaging public property. The issue may be discussed at future meetings.

One of the only votes of the evening was in regards to the city’s notary services and fee schedule. The city’s policy is now in line with the state of Oregon’s and there will be a \$10 fee for notary services. Most local banks provide notary services free of charge to their customers, so many locals will not be affected by this change.

The policy discussion regarding the city’s bulk water sales was put off until the entire council could be present. An engineering firm that the city contracts with, Civil West Engineering, has analyzed the bulk water system and has come up with a list of recommended improvements, which will be presented to the council during a future workshop. The council can then determine if rates should be raised in order to pay for the necessary improvements. The city’s bulk water sales have skyrocketed over the last three years, putting more wear and tear on the road leading up to the bulk water station, and on the station itself. At previous meetings, the council has discussed the prospect of raising rates for those who use the most water.

A future workshop will also be scheduled to discuss how the city will move forward with licensing marijuana businesses within city limits. Both the mayor and Councilor Miller, though not present, had expressed a desire to schedule a workshop with incoming city councilors to draft the new rules. City recorder Ryan Nolan said, “It is important for the council to review the planning rules that already apply to businesses, what other cities have done, and what the needs of the city are. I think there are specific issues that people would like to come and comment on.” He added, “I would encourage people who have thoughts they want to share with the council to put those in writing.” He encouraged the council to act quickly, but to make sure to do the necessary research. A workshop, which will be open to the public, was tentatively scheduled for Nov. 28. There will be a notice in this newspaper once a date is set.

The Cave Junction City Council meets the second Monday of each month at 7 p.m., with additional meetings scheduled as needed. Council meetings are open to the public and are held at City Hall, which is located at 222 W. Lister Street.

The Archive Zone: by Hillary Mohr from the *Illinois Valley News* archives

This week we “fall” back to Nov. 22, 1951. The weather was chilled with winter right around the corner and holiday season was about to begin with Thanksgiving just days away. Grab some turkey fixin’s and pumpkin pie because it’s time for the Archive Zone.

Kerby woman helpless as husband lies dead. Last Saturday afternoon Mary Cora Geist of Kerby, a paralytic, was found suffering from exposure on the floor of the bedroom in her unheated cabin, while the body of her husband, Ralph

Amos Geist, was found outside near a tree he had felled close to their home. Deputy Sheriff Les Tythcott was called by Mrs. Bolling, a neighbor, and he discovered that Mrs. Geist had managed to crawl from her bed, but was unable to summon further strength and collapsed on the floor. According to the sheriff’s office report, Mr. Geist was believed to have died sometime Friday. He had been under treatment for a heart ailment, and had been warned against over-exertion. Mrs. Geist was taken to the Park

View rest home where she has been reported to be improving. Mr. Geist, a resident of Kerby for several years, was born in Sterling, Iowa, Sept. 9, 1882.

Illinois Valley High School Carnival huge success. The annual all-school carnival held last Friday night in the high school gym was considered very successful by Pete Brown, student chairman, and Richard Newman, faculty advisor. A near-record crowd enjoyed a great variety of entertainment on the carnival program. Senior

candidate Dalphine Tucker was crowned Carnival Queen by Don Preston, student body president, to highlight the evening’s festivities. Each organization participated in the profits as 10 percent of the gross at each booth was allotted to the sponsor of each carnival attraction. Although final accounting was not completed by press-time, it was expected that net profits would exceed the amount necessary to complete payment of the balance due on the floodlights.

Famed singer, movie

star to appear at CJ dance. “T” Texas Tyler, famous singer and movie star will appear at the American Legion hall in Cave Junction playing and singing with his western band on Nov. 29 at a dance sponsored by Buck and Sunny Smith. Tyler, “the man with a million friends,” is especially famed for the “growl” in his voice and his ever-popular theme song, “Remember Me.”



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