

RESOLUTION NO. 1707

A RESOLUTION APPROVING REFERRAL TO THE ELECTORS OF THE CITY OF CENTRAL POINT THE QUESTION OF BANNING PSILOCYBIN MANUFACTURING AND SERVICE CENTERS WITHIN THE CITY OF CENTRAL POINT

RECITALS:

A. In November 2020, Oregon voters approved Measure 109, which directed the Oregon Health Authority to license and regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services.

B. Section 128 allows the City of Central Point the option to prohibit the establishment of psilocybin manufacturers and/or psilocybin service centers licensed under Measure 109 from operating in the area subject to the jurisdiction of the City.

C. The City finds it would be in the public interest to refer the question of banning psilocybin manufacturers and service centers within City limits to the electors.

THE CITY OF CENTRAL POINT, RESOLVES AS FOLLOWS:

Section 1.

MEASURE. A measure election is hereby called for the purpose of submitting to the electors of the City of Central Point a measure prohibiting the sale and establishment of certain psilocybin activities in the area subject to the jurisdiction of the City, a copy of which is attached hereto as "Exhibit A," and incorporated herein by reference.

ELECTION CONDUCTED BY MAIL. The measure election shall be held in the City of Central Point on November 8, 2022. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of Jackson County, according to the procedures adopted by the Oregon Secretary of State.

DELEGATION. The City of Central Point authorizes the City Recorder or her designee, to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

PREPARATION OF BALLOT TITLE. The ballot title for the measure set forth as "Exhibit A" to this resolution is hereby adopted.

NOTICE OF BALLOT TITLE AND RIGHT TO APPEAL. Upon receiving the ballot title for this measure, the City Recorder shall publish in the next available edition of a newspaper of general circulation in the City a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

EXPLANATORY STATEMENT. The explanatory statement for the measure, which is attached hereto as " Exhibit " B," and incorporated herein by reference, is hereby approved.

FILING WITH COUNTY ELECTIONS OFFICE. The City Recorder shall deliver the Notice of Measure Election to the county clerk for Jackson County for inclusion on the ballot for the November 8, 2022 election.

Section 2. EFFECTIVE DATE. This resolution is effective upon adoption.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CENTRAL POINT, OREGON ON THE DATE LAST WRITTEN BELOW.

Signed by me in open session in authentication of its passage this 9th day of June, 2022.


Mayor Hank Williams

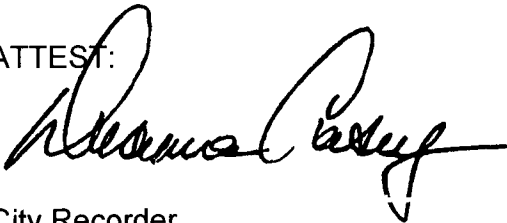
ATTEST:

City Recorder

EXHIBIT A

BALLOT TITLE:

PROHIBITS PSILOCYBIN PRODUCT MANUFACTURING AND SERVICE CENTERS IN CENTRAL POINT

QUESTION:

SHALL CITY OF CENTRAL POINT PROHIBIT PSILOCYBIN PRODUCT MANUFACTURERS AND PSILOCYBIN SERVICE CENTER OPERATORS FROM DOING BUSINESS WITHIN CITY LIMITS

SUMMARY:

State law allows the establishment of licensed psilocybin product manufacturers and service center operators. State law provides that a city council may adopt an ordinance to be referred to the voters to prohibit the establishment of any of these licensed activities within city limits.

Approval of this measure would prohibit the establishment and operation of psilocybin product manufacturers that hold a license issued under ORS 475A.290 and psilocybin service center operators that hold a license issued under ORS 475A.305 within the area subject to the jurisdiction of the City of Central Point.

EXHIBIT B

EXPLANATORY STATEMENT

Approval of this measure would prohibit the establishment and operation of certain psilocybin product manufacturers and service center operators licensed by the Oregon Health Authority. Psilocybin mushrooms are wild or cultivated mushrooms that contain psilocybin, a naturally occurring psychoactive and hallucinogenic compound.

Measure 109, approved by Oregon voters in November 2020, provides that the Oregon Health Authority shall license and regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services.

Under Measure 109, cities and counties may place referendums on local ballots to prohibit psilocybin-product manufacturers and/or psilocybin service centers within their jurisdictions. The City Council of Central Point has adopted a resolution referring this measure to ban such uses in Central Point city limits to the voters.

If approved, this measure would prohibit licensed psilocybin product manufacturers and service center operators from operating within the City.

The authority to impose a tax or fee on the manufacturing or sale of psilocybin products, or the provision of psilocybin services in Oregon is vested solely in the Legislative Assembly. Additionally, Measure 109 prohibits a city from adopting or enacting an ordinance imposing a tax or fee on psilocybin manufacturing or the provision of psilocybin services. Consequently, approval of this measure should not have any revenue impacts on the City.