

ORDINANCE NO 2088

AN ORDINANCE DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS AND DECLARING AN EMERGENCY

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, as of July 14, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Central Point is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

WHEREAS, the Central Point City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries is in the best interest of the health, safety and welfare of the people of the City of Central Point;

WHEREAS, the City Council seeks to refer to the voters of Central Point the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries; and

WHEREAS, a City ordinance will not take effect until 30-days following the second reading; the last day for the City to file this ballot title with Jackson County is August 19, 2022, and the City Council will not hold another Council meeting until August 11, which necessitates the adoption of this Ordinance under a declaration of emergency for referral to the November 8, 2022 general election.

Now, therefore,

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS

Section 1. Prohibition.

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of Central Point.

Section 2. Referral.

This ordinance is referred to the electors of the city of Central Point for approval at the next statewide general election on November 8, 2022.

Section 3. Declaration of Emergency - Effective Date.

This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Passed by the Council and signed by me in authentication of its passage this 14th day of July, 2022.


Mayor Hank Williams

ATTEST:


City Recorder