

## ATTACHMENT B

### ORDINANCE ~~NO.~~A-254

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

**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 12, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Coburg 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 Coburg City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program and to allow the city to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety and welfare of the people of Coburg; and

**WHEREAS**, the City Council seeks to refer to the voters of {city} the question of whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

NOW THEREFORE, THE CITY OF ~~{CITY}~~COBURG ORDAINS 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 Coburg.

**Section 2. Referral.**

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

**Section 3. Effective Date.**

This ordinance takes effect and becomes operative 30 days after the day on which it is approved by a majority of voters.

**Section 4. Sunset.**

This ordinance is repealed on December 31, 2024.

**ADOPTED** by the **City Council** of the **City of Coburg** this 9<sup>th</sup> day of August, 2022 by a vote of \_\_\_\_\_ and \_\_\_\_\_ against.

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Mayor, Ray Smith

ATTEST

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Sammy Egbert, City Recorder

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## ATTACHMENT B.1

### BALLOT TITLE

Prohibits psilocybin-related businesses within the City of Coburg. Prohibition sunsets after two years.

### QUESTION

Shall the City of Coburg prohibit psilocybin-related businesses in the City of Coburg?

### SUMMARY

State law allows operation manufacturer, distribution and possession of psilocybin and psilocin.

State law provides that a city council may adopt an ordinance to be referred to the voters to prohibit the establishment of any of those registered or licensed activities.

Approval of this measure would prohibit the establishment of psilocybin project manufacturers and/or psilocybin service center operators within the city limits of the City of Coburg.

Prohibition would sunset after two years.

### EXPLANATORY STATEMENT

Approval of this measure would prohibit the establishment and operation of psilocybin-related businesses within the City of Coburg.

A city council may adopt an ordinance prohibiting the establishment of psilocybin-related businesses within the city, but the council must refer the ordinance to the

voters at a statewide general election. The Coburg City Council has adopted an ordinance prohibiting the establishment of psilocybin-related businesses

within the {city or county} and, as a result, has referred this measure to the voters.

If approved, this measure would prohibit psilocybin-related businesses within the City of Coburg until December 31, 2024.

