

ORDINANCE NO. 2340

**AN ORDINANCE DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS AND
THE MANUFACTURE OF PSILOCYBIN PRODUCTS AND REFERRAL TO THE
ELECTORS OF THE CITY OF HERMISTON FOR APPROVAL AT THE NEXT
STATEWIDE GENERAL ELECTION**

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 this date, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Hermiston 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 City Council seeks to refer to the voters of the City of Hermiston the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

NOW, THEREFORE, THE CITY OF HERMISTON ORDAINS AS FOLLOWS:

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 Hermiston.
2. Referral. This ordinance is referred to the electors of the City of Hermiston for approval at the next statewide general election on November 8, 2022.

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.

PASSED by the Common Council this 25th day of July, 2022.

SIGNED by the Mayor this 25th day of July, 2022.

Dr. David Drotzmann, MAYOR

ATTEST:

Lilly Alarcon-Strong, CMC, CITY RECORDER