



Where Life is Sweet

Mayor and Members of the City Council
STAFF REPORT
For the Meeting of July 25, 2022

Title/Subject

Ordinance No. 2340 - Declaring a Ban on Psilocybin Service Centers or Manufacture of Psilocybin in the City of Hermiston and Referral to Electors

Summary and Background

Measure 109, approved by Oregon voters in November 2020, known as the Oregon Psilocybin Service Act (codified at ORS 475A), provides that the Oregon Health Authority shall license and regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision for psilocybin services. Psilocybin is a hallucinogenic chemical that is obtained from certain types of fresh and dried mushrooms. The psilocybin program begins January 2, 2023.

Per ORS 475A.718, a city council may adopt an ordinance prohibiting the establishment of psilocybin manufacturers and psilocybin service centers within the city, but the council must refer the ordinance to the voters at a statewide general election.

Approval of Ordinance No. 2340 would prohibit the establishment and operation of psilocybin service centers and psilocybin manufacturer within the City of Hermiston and would refer the issue to the electors of the city for approval at the next statewide election.

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.

Tie-In to Council Goals

Fiscal Information

Alternatives and Recommendation

Alternatives

Approve Ordinance No. 2340 and Ban Psilocybin Service Centers or Manufacture of Psilocybin in the City of Hermiston and Refer to Electors.

Reject Ordinance No. 2340 and allow Oregon Psilocybin Service Act to take effect on January 2, 2023.

Recommended Action/Motion

Motion to approve Ordinance No. 2340

Submitted By:

Richard Tovey