

City of St. Helens
ORDINANCE NO. 3288

**AN ORDINANCE DECLARING A TWO-YEAR 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 August 3, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of St. Helens 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 St. Helens 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 St. Helens; and

WHEREAS, the City Council seeks to refer to the voters of St. Helens 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 ST. HELENS ORDAINS AS FOLLOWS:

Section 1. Prohibition. The establishment of psilocybin product manufacturers licensed under ORS 475A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the city of St. Helens.

Section 2. Referral. The City referred Measure 5-288 to the electors of the city of St. Helens 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 Measure 5-288 is approved by a majority of voters.

Section 4. Sunset. This ordinance is repealed on December 31, 2024.

Measure 5-288 was APPROVED by a majority of the voters on November 8, 2022.

READ AND ACKNOWLEDGED by the City Council on December 21, 2022 by the following vote:

Ayes:

Nays:

Rick Scholl, Mayor

ATTEST:

Kathy Payne, City Recorder