

ORDINANCE NO. 257-22

**AN ORDINANCE DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS
AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS IN THE
CITY OF IRRIGON, OREGON**

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 19, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Irrigon 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 Irrigon 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 COUNCIL OF THE CITY OF IRRIGON 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 Irrigon in accordance with adopted Land Use requirements, rules, standards, exclusions, or exceptions.

Section 2. Referral.

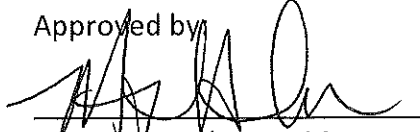
This ordinance is referred to the electors of the city of Irrigon for approval at the next statewide general election on November 8, 2022.

Section 3. Effective Date.

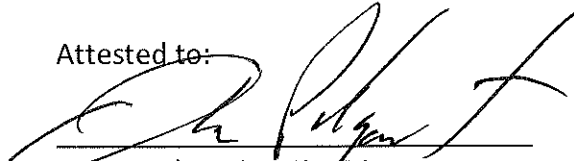
This Ordinance declares an emergency in accordance with the City Charter, taking effect 30 days after adoption.

Passed by the Council this 19th day of July, 2022

Approved by


Margaret Anderson, Mayor

Attested to:


Aaron Palmquist, City Manager

BALLOT TITLE

Prohibits psilocybin-related businesses within The City of Irrigon.

QUESTION

Shall The City of Irrigon prohibit psilocybin-related businesses and manufacturing in The City of Irrigon?

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 product manufacturers and/or psilocybin service center operators within the jurisdiction of the city of Irrigon.

EXPLANATORY STATEMENT

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

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 City of Irrigon City Council has adopted an ordinance prohibiting the establishment of psilocybin-related businesses within the City of Irrigon and, as a result, has referred this measure to the voters.

If approved, this measure would prohibit psilocybin-related businesses within the City of Irrigon. A "Yes" vote would permanently prohibit the establishment of psilocybin product manufacturers and psilocybin service centers within the city limits of the City of Irrigon. A "No" vote would permit the establishment of psilocybin product manufacturers and psilocybin service centers within the city limits of the City of Irrigon.