

Ordinance 2022-02

An Ordinance Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products; Referral to Electors

WHEREAS, in November 2020, Ballot Measure 109 was passed by the electors of Oregon, creating a program which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, Ballot Measure 109 has been codified as ORS Chapter 475A; and

WHEREAS, ORS Chapter 475A gives Oregon Health Authority the power to regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and also the power to regulate the provision of psilocybin services in the state; and

WHEREAS, Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications of psilocybin-related licenses on January 2, 2023; and

WHEREAS, to date, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Huntington 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 Huntington 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 the City of Huntington; and

WHEREAS, the City Council seeks to refer to the voters of the City of Huntington 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 Huntington, Oregon, 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 Huntington.

SECTION 2. REFERRAL.

This ordinance shall be referred to the electors of the City of Huntington for approval at the next statewide general election on November 8, 2022.

SECTION 3. EFFECTIVE DATE.

Pursuant to ORS 203.045(9), this ordinance takes effect upon approval of a majority of those voting on the proposed ordinance.

First reading this _____ day of _____, 2022.

Second reading this _____ day of _____, 2022.

Motion _____ Seconded _____ for passage of said ordinance. The following vote having been taken:

Voting for the Ordinance: _____

Voting against the Ordinance: _____

The Mayor having declared the measure having received a _____ vote for passage, was adopted and became effective on approval of a majority of those voting on the ordinance pursuant to ORS 203.045(9).

Approved by the Mayor this _____ day of _____ 20__.

Attest:

Mayor

City Recorder