

BEFORE THE BAKER COUNTY BOARD OF COMMISSIONERS ACTING AS
CITY COUNCIL OF THE CITY OF UNITY, OREGON

An Ordinance Declaring a Ban on)
Psilocybin Product Manufacturers) ORDINANCE NO. 2022-02
And Psilocybin Service Center)
Operators within the City of Unity;)
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 rulemaking necessary to provide regulatory oversight of Psilocybin Product Manufacturers and Psilocybin Service Center Operators; and

WHEREAS, ORS 475A.718 allows the governing body of a city to adopt an ordinance to be referred to the electors of the city prohibiting the establishment of Psilocybin Product Manufacturers and/or Psilocybin Service Center Operators subject to the jurisdiction of the city; and

WHEREAS, the City Council for the City of Unity believes that prohibiting the establishment of psilocybin product manufacturing and psilocybin service centers within the city’s jurisdictional boundaries is in the best interest of the health, safety and welfare of the people of the City of Unity;

NOW, THEREFORE,

The Baker County Board of Commissioner, sitting as City Council for the City of Unity, Oregon, ordains as follows:

SECTION 1. PROHIBITION.

In accordance with ORS 475A.718, the following are prohibited within the city limits of the City of Unity:

- a. Psilocybin product manufacturing;
- b. Psilocybin service center operations;
- c. Any combination of the entities described in this section.

SECTION 2. REFERRAL.

This ordinance shall be referred to the electors of the City of Unity 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.

Dated this _____ day of _____, 2022

BAKER CITY BOARD OF COMMISSIONERS, sitting as City Council of the City of Unity:

William Harvey, Commission Chair

Mark E. Bennett, Commissioner

Bruce A. Nichols, Commissioner

Date of 1st Reading: _____ day of _____, 2022.

Date of 2nd Reading: _____ day of _____, 2022.

Attest:

Heidi Martin, Executive Assistant