

A RESOLUTION REFERRING TO THE VOTERS )  
 OF LEBANON A MEASURE PROPOSING A ) RESOLUTION NO. 2022- 23  
 TEMPORARY DELAY ON PSILOCYBIN SERVICE )  
 CENTERS AND THE MANUFACTURE OF )  
 PSILOCYBIN PRODUCTS AND ADOPTING A )  
 BALLOT TITLE )

**WHEREAS**, Ballot Measure 109, known as the Oregon Psilocybin Services Act, which passed statewide in November 2020, requires the Oregon Health Authority (“OHA”) to begin accepting applications for licenses to manufacture, deliver and administer psilocybin on January 2, 2023; and

**WHEREAS**, Ballot Measure 109 also allows local governments to prohibit or delay psilocybin-related business by referring an ordinance to the voters at a statewide general election; and

**WHEREAS**, OHA has initiated its rulemaking process; however, the regulatory program will not likely be complete by September 8, 2022, which is the deadline for local governments to refer a measure for the November ballot; and

**WHEREAS**, on August 10, 2022 the Lebanon City Council passed Ordinance Bill No. 2022-09, Ordinance No. 2985 declaring a temporary ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products in Lebanon and allow the city to consider reasonable time, place and manner regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LEBANON, LINN COUNTY, OREGON:**

**Section 1.** The Lebanon City Council refers to the November 8, 2022 election a ballot measure proposing a two-year delay on psilocybin-related businesses in Lebanon.

**Section 2.** The City Elections Official is hereby directed to file the attached Exhibit “A”, Notice of City Measure with Linn County Elections to have it placed on the November 8, 2022 General Election ballot.

**Section 3.** The ballot title adopted by this resolution shall be filed with the city elections officer. The City Attorney and City Elections Official are jointly and severally authorized and directed to take all necessary steps for and on behalf of the city to effectuate this resolution.

**Section 4.** The city Ordinance Bill No. 2022-09, Ordinance 2985 that is subject of this referral is attached hereto and incorporated as Exhibit “B”.

5 Passed by the Lebanon City Council on this 10<sup>th</sup> day of August 2022 by a vote of  
5 yeas and 0 nays.

CITY OF LEBANON, OREGON



Paul R. Aziz, Mayor   
Michelle Steinhebel, Council President

ATTESTED BY:

  
Kim Scheafer, MMC, City Recorder

# Notice of Measure Election

# SEL 802

rev 01/18 ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465

City

## Notice

Date of Notice

08-10-2022

Name of City or Cities

City of Lebanon

Date of Election

11-10-2022

**Final Ballot Title** The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

**Caption** 10 words which reasonably identifies the subject of the measure.

Delays psilocybin-related businesses within Lebanon for two years.

**Question** 20 words which plainly phrases the chief purpose of the measure.

Shall Lebanon delay psilocybin-related businesses for two years?

**Summary** 175 words which concisely and impartially summarizes the measure and its major effect.

State law allows for the manufacturing, transportation, delivery, sale and purchase of psilocybin, the psychedelic drug found in certain mushrooms. State law provides that a local government may adopt an ordinance to be referred to the voters to delay the establishment of licensed psilocybin product manufacturers and/or psilocybin service centers. The Lebanon City Council adopted an ordinance to refer to the voters that temporarily prohibits psilocybin-related businesses in Lebanon to enable the city to consider local regulations once the state's psilocybin regulatory program is established.

Approval of the measure would delay the establishment of psilocybin product manufacturers and psilocybin service centers within the Lebanon city limits until December 31, 2024.

**Explanatory Statement** 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

→ any measure referred by the city governing body; **or**

→ any initiative or referendum, if required by local ordinance.

**Explanatory Statement Attached?**

Yes

No

**Authorized City Official** Not required to be notarized.

Name

John "Tre" Kennedy

Title

City Attorney

Mailing Address

925 S Main, Lebanon, OR 97355

Contact Phone

541-258-3194

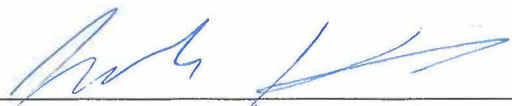
*By signing this document:*

→ I hereby state that I am authorized by the city to submit this Notice of Measure Election; **and**

→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Signature

Date Signed



8/10/22

An Amended SEL 802 was filed after a typo was found on the Date of Election in the top right corner.

# Notice of Measure Election

City

22-194

# COPY

SEL 802

rev 01/18 ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.465

### Notice

Date of Notice

08-10-2022

Name of City or Cities

City of Lebanon

Date of Election

11-10-2022

**Final Ballot Title** The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

**Caption** 10 words which reasonably identifies the subject of the measure.

Delays psilocybin-related businesses within Lebanon for two years.

# FILED

AUG 11 2022

**Question** 20 words which plainly phrases the chief purpose of the measure.

Shall Lebanon delay psilocybin-related businesses for two years?

By STEVE DRUCKENMILLER, Clerk  
10:21 AM Deputy

**Summary** 175 words which concisely and impartially summarizes the measure and its major effect.

State law allows for the manufacturing, transportation, delivery, sale and purchase of psilocybin, the psychedelic drug found in certain mushrooms. State law provides that a local government may adopt an ordinance to be referred to the voters to delay the establishment of licensed psilocybin product manufacturers and/or psilocybin service centers. The Lebanon City Council adopted an ordinance to refer to the voters that temporarily prohibits psilocybin-related businesses in Lebanon to enable the city to consider local regulations once the state's psilocybin regulatory program is established.

Approval of the measure would delay the establishment of psilocybin product manufacturers and psilocybin service centers within the Lebanon city limits until December 31, 2024.

**Explanatory Statement** 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

- any measure referred by the city governing body; or
- any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached?  Yes  No

**Authorized City Official** Not required to be notarized.

Name

John "Tre" Kennedy

Title

City Attorney

Mailing Address

925 S Main, Lebanon, OR 97355

Contact Phone

541-258-3194

By signing this document:

- I hereby state that I am authorized by the city to submit this Notice of Measure Election; and
- I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Signature

Date Signed

8/10/22

# COPY

22-194

Amended

## Notice of Measure Election City

SEL 802

rev 01/18 ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465

**Notice**

<b>Date of Notice</b> 08-10-2022	<b>Name of City or Cities</b> City of Lebanon	<b>Date of Election</b> 11-08-2022
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**Final Ballot Title** The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

**Caption** 10 words which reasonably identifies the subject of the measure.

Delays psilocybin-related businesses within Lebanon for two years.

**RECEIVED**  
AUG 11 2022  
LINN COUNTY ELECTIONS  
12:06 pm

**Question** 20 words which plainly phrases the chief purpose of the measure.

Shall Lebanon delay psilocybin-related businesses for two years?

**Summary** 175 words which concisely and impartially summarizes the measure and its major effect.

State law allows for the manufacturing, transportation, delivery, sale and purchase of psilocybin, the psychedelic drug found in certain mushrooms. State law provides that a local government may adopt an ordinance to be referred to the voters to delay the establishment of licensed psilocybin product manufacturers and/or psilocybin service centers. The Lebanon City Council adopted an ordinance to refer to the voters that temporarily prohibits psilocybin-related businesses in Lebanon to enable the city to consider local regulations once the state's psilocybin regulatory program is established.

Approval of the measure would delay the establishment of psilocybin product manufacturers and psilocybin service centers within the Lebanon city limits until December 31, 2024.

**Explanatory Statement** 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

→ any measure referred by the city governing body; or  
 → any initiative or referendum, if required by local ordinance.

**Explanatory Statement Attached?**  Yes  No

**Authorized City Official** Not required to be notarized.

<b>Name</b> John "Tre" Kennedy	<b>Title</b> City Attorney
<b>Mailing Address</b> 925 S Main, Lebanon, OR 97355	<b>Contact Phone</b> 541-258-3194

*By signing this document:*  
 → I hereby state that I am authorized by the city to submit this Notice of Measure Election; and  
 → I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

  
Signature

8/10/22  
Date Signed

Exhibit "B"

A BILL FOR AN ORDINANCE DECLARING A ) ORDINANCE BILL NO. 2022-09  
TEMPORARY DELAY ON PSILOCYBIN )  
SERVICE CENTERS AND THE MANUFACTURE ) ORDINANCE NO. 2985  
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 10, 2022 the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Lebanon 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 Lebanon City Council believes that delaying 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 Lebanon; and

**WHEREAS**, the City Council seeks to refer to the voters of Lebanon 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 LEBANON ORDAINS AS FOLLOWS:**

**Section 1. Prohibition.**

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is temporarily

prohibited in the City of Lebanon.

**Section 2. Referral.**

This ordinance is referred to the electors of the City of Lebanon 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 it is approved by a majority of voters.

**Section 4. Sunset.**

This ordinance is repealed on December 31, 2024.

Passed by the Lebanon City Council by a vote of 5 for and 0 against and approved by the Mayor this 10<sup>th</sup> day of August 2022.

CITY OF LEBANON, OREGON



Paul R. Aziz, Mayor  
Michelle Steinhebel



Attested:



Kim Scheafer, MMC, City Recorder