

ORDINANCE NO. 1259

AN ORDINANCE DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS  
AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS IN THE CITY OF  
WARRENTON

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 (OHA) 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, the City of Warrenton 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 commission may adopt an ordinance to be referred to the electors of the city at the next statewide general election 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, ORS 475A.718 also provides that, after adopting such an ordinance, the City must provide the text of the ordinance to OHA, and that upon receiving notice of adoption of a prohibition ordinance, OHA shall discontinue licensing the prohibited facilities until the date of the next statewide general election on November 6, 2024 , and if voters do not approve the prohibition, OHA will not begin licensing of those facilities until the first business day of January following the election; and

WHEREAS, the Warrenton City Commission believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries will allow the city to see how the industry will operate and the effects it will have in other areas of the state, and to evaluate whether and in what manner it could operate within the City, is in the best interest of the health, safety and welfare of the people of Warrenton; and

WHEREAS, the City Commission seeks to refer to the voters of Warrenton the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries at the next statewide general election, on November 5, 2024.

Now, therefore, THE CITY OF WARRENTON 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 prohibited in the City of Warrenton.

Section 2. Referral. This ordinance is referred to the electors of the city of Warrenton for approval at the next statewide general election on November 6, 2024.

Section 3. Effective Date. This ordinance takes effect and becomes operative upon approval by a majority of voters at the November 6, 2024, election.

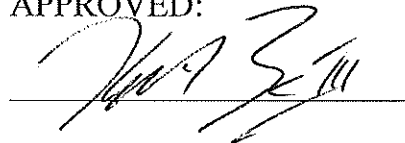
Section 4. Notice. The City Manager, or designee, is hereby directed to provide the text of this ordinance to the Oregon Health Authority in order that the Oregon Health Authority will discontinue licensing the prohibited facilities until the date of the next statewide general election on November 6, 2024, and thereafter as provided in ORS 475A.718.

Adopted by the City Commission of the City of Warrenton, Oregon this 13 day of Dec, 2022.

First Reading: in Roll 12/13/2022

Second Reading: 12/13/2022

APPROVED:



Henry A. Balensifer III, Mayor

ATTEST:



~~Dawn Shaw, CMC, City Recorder~~

Britney Johnson Deputy City Recorder