



Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2022-006

ESTABLISHING TIME, PLACE, AND MANNER RESTRICTIONS ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURING OF PSILOCYBIN PRODUCTS

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act, and codified at Oregon Revised Statutes (ORS) 475A, which allows for the manufacture, delivery, and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A provides that the Oregon Health Authority (OHA) will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the 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, as of November 2022, the OHA has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Sherwood is uncertain how the manufacture, delivery, and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.530 provides that a city council may adopt an ordinance establishing reasonable regulations governing the time, place, and manner of psilocybin service centers and the manufacturing of psilocybin products within the area subject to the jurisdiction of the city.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. DEFINITIONS INCLUDED BY REFERENCE. For the purpose of this Ordinance, the following definitions shall be used:

MANUFACTURING OF PSILOCYBIN PRODUCTS: means the manufacture, planting, cultivation, growing, harvesting, production, preparation, propagation, compounding, conversion or processing of a psilocybin product, either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the psilocybin product or labeling or relabeling of its container.

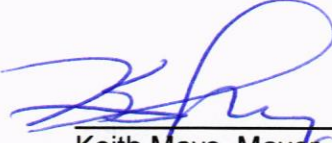
PSILOCYBIN SERVICE CENTERS: means an establishment defined under ORS 475A.220 which provides psilocybin services to clients before, during, and after the client's consumption of a psilocybin product, and may include preparation, administration, and integration sessions.

Section 2. STANDARDS FOR PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURING OF PSILOCYBIN PRODUCTS.

- A. Location. Psilocybin service centers and manufacturing of psilocybin products is permitted within the General Industrial Zone, and shall not be located:
1. Within one thousand (1,000) feet of the real property comprising a:
 - a. School. A public or private elementary or secondary school attended primarily by children under 19 years of age.
 - b. Psilocybin service center or any psilocybin manufacturer
 - c. Public Plazas and Active Use Parks. As used in this paragraph, an active use park includes a public park that includes features such as playground equipment, athletic courts or fields, active use water features, or skating or skateboard features.
- B. Residential Uses. A psilocybin service center and the manufacturing of psilocybin products shall not be located within one thousand (1,000) feet of any single-family residential or multi-family residential zone. For purposes of this paragraph, the distance specified is measured from the closest points between property lines of the affected properties.
- C. Hours of Operation. A psilocybin service center and the manufacturing of psilocybin products shall only operate between the hours of 8 a.m. and 8 p.m. Monday through Friday.
- D. Public View. All doorways, windows and other openings of psilocybin service centers and businesses engaged in the manufacturing of psilocybin products shall be located, covered or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area.
- E. Lighting. Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lighting to provide after-dark visibility to employees and patrons. Fixtures shall be designed and located so the light patterns overlap, but do not cast light beyond the property boundaries, except over pedestrian areas within a public right-of-way.
- F. Storage. All storage shall be located within a permanent building and may not be located within a trailer, tent or motor vehicle. Outdoor storage of any material associated with psilocybin service centers and the manufacturing of psilocybin products is prohibited.
- G. Odors. Psilocybin service centers and the manufacturing of psilocybin products shall use an air filtration and ventilation system designed to ensure, that psilocybin related odors are confined to the premises and are not detectible beyond the property boundaries in which the facility is located.
- H. Secure Disposal. Psilocybin service centers and businesses engaged in the manufacturing of psilocybin products must provide for secure disposal of psilocybin remnants or by-products; psilocybin remnants or by-products shall not be placed within the facility's exterior refuse container.

Section 3. This Ordinance shall become effective 30 days from its adoption.

Duly passed by the City Council this 6th day of December, 2022.



Keith Mays, Mayor

12/6/22

Date

Attest:


Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Giles	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brouse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rosener	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REPEALED BY ORD. 2023-002