

ORDINANCE NO. 692

AN ORDINANCE DECLARING A TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE 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 9, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Willamina 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 Willamina 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 Willamina; and

WHEREAS, the City Council seeks to refer to the voters of Willamina 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 WILLAMINA 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 Willamina.

Section 2: Referral. This ordinance is referred to the electors of the city of Willamina 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

Section 5: Declaring an Emergency. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance takes effect on its passage.

The foregoing Ordinance was first read into the record in full, and then by title and passed by a vote of Council members in accordance with Chapter VIII, Section 30-31 of the City Charter on the 9th day of August, 2022, and duly

PASSED and **ADOPTED** this 9th day of August, 2022 by the following votes:

Councilor Baller: aye
Councilor Wooden: aye
Councilor Wilson: aye
Councilor Skyberg: aye
Councilor Johnson: aye
Councilor Hernandez: aye



Robert Burr, Mayor

ATTEST:



Bridget Meneley, Deputy City Recorder