



Mayor Robert Burr

**Council Members:**

Rita Baller, Council President  
Craig Johnson  
Barry Wilson  
April Wooden  
Ila Skyberg  
Vickie Hernandez

**City Management:**

Interim City Manager: Sarah Frost  
Finance Manager: Scott Clark  
Public Works Director: Jeff Brown  
Interim Library Director: Karla Johnson

**BEFORE THE COUNCIL OF THE CITY OF WILLAMINA  
SITTING FOR THE TRANSACTION OF BUSINESS**

**RESOLUTION No. 22-23-002**

**A RESOLUTION OF THE CITY OF WILLAMINA FOR PLACING ON THE BALLOT TITLE TO BE SUBMITTED TO THE VOTERS AT THE NOVEMBER 8, 2022 GENERAL ELECTION FOR PROHIBITING PSILOCYBIN-RELATED BUSINESSES WITHIN THE CITY FOR TWO YEARS AND AUTHORIZING FILING OF EXPLANATORY STATEMENT RELATING TO THIS PROHIBITION**

**WHEREAS**, the Council of the City of Willamina desires to put prohibit psilocybin-related business within the City of Willamina, Oregon. Prohibition sunsets after two years.

**WHEREAS**, Ballot Measure 109, known as the Oregon Psilocybin Services Act, which passed 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.

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

**WHEREAS**, The Council of the City of Willamina desires to prohibit psilocybin-related business within the City of Willamina, Oregon. Prohibition sunsets after two years.

**WHEREAS**, the City Council of the City of Willamina adopted Ordinance No. 692 which declares a ban on psilocybin service centers and the manufacture of psilocybin products in the area subject to the jurisdiction of the city and refers the matter to the electors of the city;

**NOW, THEREFORE, BE IT RESOLVED:**

*SECTION 1. The City Council refers to the November 8, 2022 election, a ballot measure proposing the prohibition of psilocybin-facilities in Willamina.*

SECTION 2. *The Yamhill County Elections Office will conduct the election. The precincts for said election shall be and constitute all of the territory included within the corporate limits of the City of Willamina.*

SECTION 3. *The ballot title certified and filed by the City Council shall be as follows:*

*Caption: Prohibits psilocybin businesses within Willamina. Prohibition sunsets after two years*

*Question: Shall the City of Willamina declare a temporary ban prohibiting Psilocybin-related businesses and manufacture of Psilocybin products within Willamina.*

**Summary:** 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 prohibit the establishment of licensed psilocybin product manufacturers and/or psilocybin service centers.

The Willamina City Council adopted an ordinance prohibiting the establishment of psilocybin product manufacturers and psilocybin service center operators within the City for a period of two years, which was referred to the voters per state law.

The two-year prohibition is intended to provide additional time for the City to enact reasonable time, place, and manner restrictions on licensed facilities.

Approval of this measure would prohibit the establishment of psilocybin product manufacturers and psilocybin service center operators within the City of Willamina until December 31, 2024.

SECTION 4. *The explanatory statement certified and filed by the City Council for submission in the Yamhill County Voters' Pamphlet on behalf of the City shall be as follows:*

**Explanatory Statement:**

Approval of this measure would establish a two-year prohibition on psilocybin product manufacturers and psilocybin service centers within the City of Willamina. Psilocybin is the psychedelic drug derived from certain mushrooms.

Oregon voters legalized psilocybin through Ballot Measure 109 in 2020, which directs the Oregon Health Authority (OHA) to develop a psilocybin licensing and regulatory program for the state by January 2, 2023. As a result, OHA intends to begin accepting applications for licenses for psilocybin product manufacturers and psilocybin service centers in January, 2023.

Ballot Measure 109 allows a local government to adopt an ordinance to be referred to the voters that prohibits the establishment of psilocybin-related businesses. The Willamina City Council has adopted such an ordinance to prohibit the establishment of psilocybin product manufacturers and psilocybin service centers within the City of Willamina until December 31, 2024.

Ballot Measure 109 also allows a local government to adopt reasonable time, place and manner restrictions on the operation of psilocybin facilities. Because these regulations typically result in amendments to the city's development code, the process to enact changes requires notice to the state as well as hearings before governing bodies. The temporary prohibition proposed by this Measure is intended to provide extra time to consider and enact such regulations before OHA issues licenses for psilocybin facilities in the City.

**SECTION 5.** The City Manager and City Recorder shall take all steps on behalf of the City as necessary to carry out the intent and purposes of this resolution in compliance with state and local law including but not limited to publishing the ballot title as provided by state law, publishing notice of the measure as required, and filing this measure with Yamhill County Elections Division.

**PASSED BY THE COUNCIL, ON THIS 9<sup>TH</sup> DAY OF AUGUST, 2022**

**APPROVED BY THE MAYOR, ON THIS 9<sup>TH</sup> DAY OF AUGUST, 2022**

PASSED and ADOPTED this 9<sup>th</sup> day of August, 2022, by the following votes:

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



*Robert Burr*

Robert "Bob" Burr, Mayor

**ATTEST:**

*Bridget Meneley*

Bridget Meneley, Deputy City Recorder