

RESOLUTION NO. 1441-22

**A RESOLUTION REFERRING TO THE VOTERS OF NYSSA A MEASURE
PROPOSING A PROHIBITION ON PSILOCYBIN-RELATED BUSINESSES AND
ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT**

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; and

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; and

WHEREAS, more than sixty-seven percent of the residents of Nyssa who voted on Measure 109 voted against the Measure; and

WHEREAS, the Nyssa City Council voted to adopt for referral to the voters Ordinance No. 671-22, to prohibit psilocybin-related businesses in Nyssa;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF NYSSA, OREGON:

Section 1. The City Council refers to the November 8, 2022, election a ballot measure proposing a prohibition on psilocybin-related businesses in Nyssa.

Section 2. The City Council adopts the ballot title, question, summary, and explanatory statement attached hereto as Exhibit “A”.

Section 3. The ballot title, question, summary, and explanatory statement adopted by this resolution shall be filed with the City elections officer. The City attorney and City elections officer are jointly and severally authorized and directed to take all necessary steps for and on behalf of the City to effectuate this resolution, including providing public notice and submitting required materials to the county elections officer to cause the measure to appear on the ballot for the November 8, 2022, election and to otherwise carry out the intent and purpose of this resolution.

Section 4. The City ordinance that is the subject of this referral is attached hereto and incorporated herein as Exhibit “B”.

Passed by the Common Council of the City of Nyssa, Oregon, by the following votes this 9th day of August, 2022.

AYES: Mayor Betty Holcomb, Council President Morganne DeLeon, Councilors: Ron Edmondson, Robert DeLeon, Pat Oliver and Patricia Esplin

NAYS: 0

ABSENT: Krissy Walker

Approved this 9th day of August, 2022.

Betty A. Holcomb, Mayor

ATTEST:

Marla Roberts, City Recorder