

ORDINANCE NO. 671-22

AN ORDINANCE DECLARING A 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, more than sixty-seven percent of the residents of Nyssa who voted on Measure 109 voted against the Measure; 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 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 Nyssa City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the City's jurisdictional boundaries is in the best interest of the health, safety, and welfare of the people of Nyssa; and

WHEREAS, the City Council seeks to refer to the voters of Nyssa the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the City's jurisdictional boundaries.

Now, therefore,

THE CITY OF NYSSA ORDAINS AS FOLLOWS:

Section 1. Prohibition.

The establishment of psilocybin product manufacturers licensed under ORS 475A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of Nyssa.

Section 2. Referral.

This ordinance is referred to the electors of the city of Nyssa 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 of the City of Nyssa voting on this referred ordinance.

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

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

NAYS: 0

ABSENT: Krissy Walker

Approved this 9th day of August 2022.

Betty A. Holcomb, Mayor

ATTEST: _____

Marla Roberts, City Recorder