

# Notice of Measure Election

SEL 802

City

3-490

rev 01/16 ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.465

<b>Notice</b>		
<b>Date of Notice</b> 08/04/2016	<b>Name of City or Cities</b> City of Lake Oswego	<b>Date of Election</b> November 8, 2016
<b>Final Ballot Title</b> The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.		
<b>Caption</b> 10 words which reasonably identifies the subject of the measure.		
PROHIBITS CERTAIN MARIJUANA PRODUCTION AND SALES FACILITIES IN LAKE OSWEGO		
<b>Question</b> 20 words which plainly phrases the chief purpose of the measure.		
Shall Lake Oswego prohibit medical marijuana processors and dispensaries, and recreational marijuana producers, processors, wholesalers and retailers, within the city?		
<b>Summary</b> 175 words which concisely and impartially summarizes the measure and its major effect.		
<p>State law allows operation of registered medical marijuana processing sites and dispensaries, and licensed recreational marijuana producers, processors, wholesalers, and retailers. State law also authorizes cities to adopt ordinances, to be referred to city voters, prohibiting establishment of any of these activities. The Lake Oswego City Council has adopted Ordinance 2689 banning each of these activities within the city.</p> <p>Approval of this measure approves Ordinance 2689 and prohibits medical marijuana processing sites and dispensaries, and recreational marijuana producers, processors, wholesalers and retailers, in Lake Oswego. The city would be ineligible for distributions of state marijuana tax revenues.</p> <p>Disapproval of this measure disapproves Ordinance 2689 and allows these marijuana facilities to be established in the city subject to state regulations on location and operation, and subject to the city's zoning and licensing regulations. As of the date of the referral of this measure, the city was considering adopting additional location and operation regulations that could be applied to marijuana facilities if this measure does not pass.</p>		
<b>Explanatory Statement</b> 500 words that impartially explains the measure and its effect.		
<p>If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:</p> <p>→ any measure referred by the city governing body; or      <b>Explanatory Statement Attached?</b>    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p>→ any initiative or referendum, if required by local ordinance.</p>		
<b>Authorized City Official</b> Not required to be notarized.		
<b>Name</b> Anne-Marie Simpson	<b>Title</b> City Recorder	
<b>Mailing Address</b> P.O. Box 369, Lake Oswego, OR 97034	<b>Contact Phone</b> 503-534-4225	
<p><i>By signing this document:</i></p> <p>→ I hereby state that I am authorized by the city to submit this Notice of Measure Election; and</p> <p>→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.</p>		

Signature Redacted

August 4, 2016

Signature

Date Signed

CCE-24

ORS 261.355

**CLACKAMAS COUNTY  
EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET**

[THIS INTERACTIVE FORM CAN BE FILLED IN ON-LINE]

ELECTION DATE November 8, 2016		MEASURE NUMBER <i>3-490</i>
BALLOT TITLE CAPTION PROHIBITS CERTAIN MARIJUANA PRODUCTION AND SALES FACILITIES IN LAKE OSWEGO		
NAME OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT Anne-Marie Simpson		
NAME OF ORGANIZATION PERSON REPRESENTS, IF ANY City of Lake Oswego		
TELEPHONE (HOME)	TELEPHONE (WORK) 503-534-4225	
FAX NUMBER 503-697-6594	E-MAIL ADDRESS asimpson@lakeoswego.city	

See attached Explanatory Statement

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The total word / number count may not exceed 500 words / numbers. Word / number count total: \_\_\_\_\_

Signature Redacted

\_\_\_\_\_

SIGNATURE OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT

*August 4, 2016*

DATE

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## EXPLANATORY STATEMENT

Approval of this measure prohibits establishing or operating the following state-licensed or state-registered marijuana facilities within the City of Lake Oswego:

- Medical Marijuana Processing Sites (compounding or converting marijuana into medical cannabinoid products, concentrates, or extracts)
- Medical Marijuana Dispensaries (facilitating the transfer of marijuana and marijuana products between patients, caregivers, processors and growers)
- Recreational Marijuana Producers (manufacturing, planting, cultivating, growing or harvesting marijuana)
- Recreational Marijuana Processors (processing, compounding or converting marijuana into cannabinoid products, concentrates, or extracts)
- Recreational Marijuana Wholesalers (purchasing marijuana items for resale to persons other than consumers)
- Recreational Marijuana Retailers (selling marijuana items to consumers)

This measure bans only the listed facilities in the city. It does not apply to the personal use, possession, or growing of recreational or medical marijuana, or medical marijuana "grow sites," as may be allowed, limited, or prohibited by state law.

The 2015 State Legislature adopted what is now ORS 475B.800, authorizing cities to enact ordinances prohibiting any of the above-listed marijuana facilities within the city. On December 1, 2015, the Lake Oswego City Council enacted Ordinance 2689 banning each of the listed facilities. As required by state law, the City Council has submitted Ordinance 2689 to city voters for approval at the November 8, 2016, general election.

A "yes" vote approves Ordinance 2689 and bans each of the listed marijuana facilities in the City of Lake Oswego. Under current law, until July 1, 2017, ten percent of state marijuana tax revenues will be distributed proportionally to cities, based on population, to assist local law enforcement in performing duties under state marijuana laws. Beginning July 1, 2017, the distribution will be proportional based upon the number and type of recreational marijuana facility licenses within each city. Approval of this measure will make Lake Oswego ineligible for these state marijuana tax revenues under either distribution formula.

A "no" vote disapproves Ordinance 2689 and allows the listed facilities in Lake Oswego if licensed or registered by the state. The City would be eligible for state marijuana tax revenues, and could also impose an additional local tax of up to three percent on sales by recreational marijuana retailers.

If this measure is disapproved, marijuana facilities in Lake Oswego would be subject to state regulations that prohibit processors, wholesalers, retailers and dispensaries in residential zones, and prohibit dispensaries and retailers within 1,000 feet of schools. The facilities would also be subject to Lake Oswego zoning and licensing requirements. As of the date this Explanatory

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Statement was submitted, the city was in the process of determining whether additional location and operation regulations should be adopted that would apply to marijuana facilities in the city if this measure is disapproved. The details and current status of any proposed marijuana facility regulations can be found at [https://www.ci.oswego.or.us/boc\\_pc/lu-16-0009-marijuana-time-place-and-manner](https://www.ci.oswego.or.us/boc_pc/lu-16-0009-marijuana-time-place-and-manner) or by contacting the Lake Oswego Planning Department at (503) 635-0269.