

Request for Ballot Title Preparation or Publication of Notice

No later than the 81st day before an election, a governing body that has referred a measure must prepare and file with the local elections official the text of the referral for ballot title preparation or the ballot title for publication of notice of receipt of ballot title. This form may be used to file the text of the referral and request the elections official begin the ballot title drafting process or file a ballot title and request the elections official publish notice of receipt of ballot title.

Filing Information

Election Date November 8, 2022	Authorized Official Nate Boderman, Assistant County Counsel
Contact Phone 503.655.8362	Email Address nboderman@clackamas.us

Referral Information

Title, Number or other Identifier

Ordinance No. 05-2022

This Filing is For

Drafting of Ballot Title Attach referral text. Publication of Notice Ballot title below.

Ballot Title Additional requirements may apply

Caption 10 words which reasonably identifies the subject of the measure.

Temporarily prohibits psilocybin-related businesses within unincorporated Clackamas County.

Question 20 words which plainly phrases the chief purpose of the measure.

Shall Clackamas County temporarily prohibit psilocybin product manufacturing and service center businesses for up to two years?

Summary 175 words which concisely and impartially summarizes the measure and its major effect.

State law allows for the manufacturing of products containing psilocybin and psilocin, as well as the operation of psilocybin service centers which are defined as establishments where a client purchases, consumes, and experiences the effects of a psilocybin product under the supervision of a psilocybin service facilitator. State law provides that the governing body of a county may adopt an ordinance to be referred to the voters to prohibit the establishment of psilocybin product manufacturers and psilocybin service centers. Approval of this measure would prohibit the establishment of both psilocybin product manufacturers and psilocybin service centers within the unincorporated areas subject to the jurisdiction of Clackamas County.

By signing this document:

→ I hereby state that I am authorized by the county or city governing body, or district elections authority to submit this Request for Ballot Title – Preparation or Publication of Notice.

Signature Redacted

August 8, 2022

Date Signed

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

An Ordinance declaring a temporary ban
on psilocybin service centers and the
manufacture of psilocybin products



Ordinance No. 05-2022
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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, psilocybin and psilocybin-containing mushrooms remain illegal under federal regulations; 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 July 6, 2022, the Oregon Health Authority has not completed the rule-making process for implementing the state's psilocybin regulatory program, and Clackamas County is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the county; and

WHEREAS, ORS 475A.718 provides that a county governing body may adopt an ordinance to be referred to the electors of the county prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the county; and

WHEREAS, the Clackamas County Board of Commissioners believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the county's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program and to allow the county time to potentially 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 Clackamas County; and

WHEREAS, the Board of Commissioners seeks to refer to the voters of Clackamas County the question of whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the county's jurisdictional boundaries.

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NOW THEREFORE, the People of Clackamas County ordain 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 Clackamas County.

Section 2. Referral.

This ordinance is referred to the electors of Clackamas County 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.

DATED this 28th day of July 2022

BOARD OF COUNTY COMMISSIONERS

Signature Redacted

Chair

Signature Redacted

Recording Secretary