

Notice of Measure Election**SEL 802**

City

3-513

rev 01/16 ORS 250.035, 250.041,
250.275, 250.285, 254.095, 254.465**Notice****Date of Notice**

9/1/16

Name of City or Cities

City of West Linn

Date of Election

November 8, 2016

Final Ballot Title 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.

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

Prohibits certain marijuana registrants, licensees, and businesses in West Linn.

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

Shall West Linn prohibit medical marijuana processors, medical marijuana dispensaries, recreational marijuana producers, processors, wholesalers, and retailers in West Linn?

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

State law allows operation of registered medical marijuana processors, medical marijuana dispensaries and licensed recreational marijuana producers, processors, wholesalers, and retailers. State law provides that a city council may adopt an ordinance to be referred as a measure to voters to prohibit the establishment of any of those registered or licensed marijuana activities.

Approval of this measure would approve West Linn Ordinance No. 1644, which would prohibit medical marijuana processors, medical marijuana dispensaries, recreational marijuana producers, processors, wholesalers, and retailers from locating in areas subject to the City's jurisdiction.

This measure would not affect individual use; individuals will continue to be able to use and possess marijuana products in West Linn in accordance with state law.

If this measure is approved, the City will not receive any state disbursements of marijuana tax revenue. The City would also be unable to impose a local tax or fee on the production, processing or sale of marijuana or products that incorporate marijuana.

Explanatory Statement 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

- any measure referred by the city governing body; or
→ any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached? Yes No

Authorized City Official Not required to be notarized.

Name

Eileen Stein

Title

City Manager

Mailing Address

22500 Salamo Road, West Linn, OR 97068

Contact Phone

503-722-3422

By signing this document:

- I hereby state that I am authorized by the city to submit this Notice of Measure Election; and
→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Signature Redacted

Signature

Date Signed

8-31-16

CCE-24

ORS 251.355

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

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

ELECTION DATE November 8, 2016		MEASURE NUMBER 3-513	
BALLOT TITLE CAPTION Prohibits certain marijuana registrants, licensees, and businesses in West Linn.			
NAME OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT Eileen Stein			
NAME OF ORGANIZATION PERSON REPRESENTS, IF ANY City of West Linn			
TELEPHONE (HOME)		TELEPHONE (WORK) 503-722-3422	
FAX NUMBER 503-650-9041		E-MAIL ADDRESS estein@westlinnoregon.gov	

See Attached.

478

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

Signature Redacted

8-31-16

SIGNATURE OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT

DATE

EXPLANATORY STATEMENT

500 words

Approval of this measure would prohibit the establishment of certain marijuana activities within the city.

The Oregon Medical Marijuana Act, as amended by the Legislature in 2015, provides that the Oregon Health Authority will register medical marijuana processors and medical marijuana dispensaries. Medical marijuana processors compound or convert marijuana into concentrates, extracts, edible products, and other products intended for human consumption and use. Medical marijuana dispensaries facilitate the transfer of marijuana and marijuana products between patients, caregivers, processors, and growers. Measure 91, approved by Oregon voters in 2014 and by the Legislature in 2015, provides that the Oregon Liquor Control Commission will license recreational marijuana producers (those who manufacture, plant, cultivate, grow or harvest marijuana), processors, wholesalers, and retailers.

A city council may adopt an ordinance prohibiting the establishment of any of those entities within the city, but the council must refer the ordinance to the voters at a statewide general election. The West Linn City Council has adopted an ordinance prohibiting the establishment of medical marijuana processors, medical marijuana dispensaries, recreational marijuana producers, processors, wholesalers, and retailers within the city and, as a result, has referred this measure to the voters.

If approved, this measure would prohibit medical marijuana processors, medical marijuana dispensaries, and recreational marijuana producers, processors, wholesalers, and retailers within the city. Medical marijuana processors and medical marijuana dispensaries that were registered with the state before the city council adopted the ordinance, and medical marijuana dispensaries that had applied to be registered on or before July 1, 2015, can continue operating in the city even if this measure is approved, if those entities have successfully completed a local land use application process.

Approval of this measure has revenue impacts. Currently, ten percent of state marijuana tax revenues will be distributed to cities to assist local law enforcement in performing their duties under Measure 91. If approved, this measure would make the city ineligible to receive distributions of state marijuana tax revenues. State marijuana tax disbursements to cities will be determined by population through July 2017. After July 2017, disbursements will be determined by the number of licenses issued by OLCC in a given area.

Currently, under the 2015 legislation, a city may impose up to a three percent tax on the sale of marijuana items by a marijuana retailer in the city. However, a city that adopts an ordinance prohibiting the establishment of medical marijuana processors, medical

marijuana dispensaries, or recreational marijuana producers, processors, wholesalers, or retailers may not impose a local tax or fee on the production, processing or sale of marijuana or any product that incorporates marijuana. Approval of this measure would therefore prevent a city from imposing a local tax on those activities.

Approval of this measure will not affect individual use; individuals will continue to be able to use and possess marijuana products in West Linn in accordance with state law.
(478 words)