

Notice of Measure Election City

3-483

SEL 802

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

Notice

Date of Notice 6/15/16	Name of City or Cities City of Canby	Date of Election 11/8/2016
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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.

REMOVING A CITYWIDE BAN ON MARIJUANA BUSINESSES IN CANBY

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

SHALL THE CITY OF CANBY ALLOW THE ESTABLISHMENT OF MARIJUANA BUSINESSES WITHIN THE CITY?

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

Oregon State law now allows operation of state-licensed marijuana businesses: producers, processors, wholesalers, dispensaries, and retailers for both medical and recreational uses of marijuana. If properly licensed in this state, the Oregon Liquor Control Commission authorizes marijuana businesses for recreational use while the Oregon Health Authority still regulates marijuana businesses that are solely for medical uses.

In accordance with HB 3400, Oregon State law now permits a City Council to adopt an ordinance prohibiting the establishment of marijuana businesses within the city limits, which must then be referred to the electors of the City for approval. On November 4, 2015, Canby City Council adopted Ordinance No. 1427, declaring a ban on marijuana businesses (both recreational and medical). By law, Ordinance No. 1427 is now being referred to the electors of the City of Canby for approval or denial at the November 8, 2016 statewide General Election. This is a vote to either remove the ban on marijuana businesses and allow such businesses within the city limits, or to continue the ban.

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 Kimberly Scheafer, MMC	Title City Recorder
Mailing Address PO Box 930, Canby, OR 97013	Contact Phone 503.266.0733

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

6-15-16

Date Signed

Measure Explanatory Statement for County Voters' Pamphlet

Important! Please read all instructions before completing this form. This form is to be used when filing a 'Measure Explanatory Statement for County Voters' Pamphlet' with your County Elections office. If a local government is located in more than one county, the county clerk of the county in which the city hall of the city or the administrative office of the local government is located shall be the filing officer for the 'Measure Explanatory Statement for County Voters' Pamphlet'.

Filing Information

Election: Primary 20____ General 20¹⁶ Special _____ Measure # ____ - ____

Ballot Title Caption

REMOVING A CITYWIDE BAN ON MARIJUANA BUSINESSES IN CANBY

Name of Person responsible for content of 'Explanatory Statement' (as it should appear in the Voters' Pamphlet):

Joseph Lindsay, City Attorney

Name of Jurisdiction/Organization Person is authorized to represent (as it should appear in the Voters' Pamphlet):

City of Canby

CONTACT INFORMATION

Phone: Cell: _____ Work: (503) 266-0754 Home: _____

E-Mail: lindsayj@ci.canby.or.us

SIGNATURE

Signature Redacted

6-15-16

Signature of person responsible for content of 'Explanatory Statement'

Date

MEASURE EXPLANATORY STATEMENT

See attached for 'Measure Explanatory Statement' (500 word/number MAX).

For Office Use only:

County: _____

Signed? Yes No

'Measure Explanatory Statement' attached?

Yes No

Word Count (500 max):

Digital copy? Yes No

Review Staff Initials:

Intake Staff Initials:

EXPLANATORY STATEMENT FOR THE VOTERS PAMPHLET**MEASURE REMOVING A CITYWIDE BAN ON MARIJUANA BUSINESSES IN
CANBY**

Measure No. _____

Word Total 345 (500 max)

Oregon State law now allows operation of state-licensed marijuana businesses: producers, processors, wholesalers, dispensaries, and retailers for both medical and recreational uses of marijuana. If properly licensed in this state, the Oregon Liquor Control Commission authorizes marijuana businesses for recreational use while the Oregon Health Authority still regulates marijuana businesses that are solely for medical uses.

In accordance with House Bill 3400, Oregon State law now permits a city council to adopt an ordinance prohibiting the establishment of marijuana businesses within the city limits, which must then be referred to the electors of the City for approval. On November 4, 2015, the Canby City Council adopted Ordinance No. 1427, declaring a ban on marijuana businesses (both recreational and medical). By law, Ordinance No. 1427 is now being referred to the electors of the City of Canby for approval or denial at the November 8, 2016 statewide general election.

The current ban does not affect any individual's rights regarding the legal possession of marijuana within Canby or any individual's rights regarding their ability to legally grow marijuana plants within the legal limits set by Measure 91 and subsequent, related laws.

This referral allows the electorate to either allow marijuana businesses in the City of Canby or to continue to have a ban on such businesses within the city limits.

A "yes" vote would allow marijuana businesses to operate in the City of Canby. It would remove the ban established by the Canby City Council in Ordinance 1427. A "yes" vote says yes to marijuana businesses. If marijuana businesses are allowed to operate in Canby, and the three percent city tax on the retail sale of marijuana items is also approved by voters, then that additional tax revenue will go to the City's general fund.

A "no" vote would continue the ban on the establishment of any marijuana businesses in the City of Canby. A "no" vote says no to marijuana businesses. If marijuana businesses are banned in Canby, then the City cannot collect any tax revenue from retail sales of marijuana items sold in the city.

RESOLUTION NO. 1242

3-483

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE SUBMITTING TO THE ELECTORATE FOR THE NOVEMBER 8, 2016 ELECTION, A PROPOSED REMOVAL OF A CITYWIDE BAN ON MARIJUANA BUSINESSES WITHIN CANBY.

WHEREAS, House Bill 3400 provides that a city council may adopt an ordinance prohibiting the establishment of marijuana businesses within the city limits; and

WHEREAS, the City of Canby City Council adopted Ordinance 1427 on November 4, 2015, which declared a ban of marijuana businesses in the City of Canby; and

WHEREAS, HB 3400 requires the citywide ban on marijuana businesses to be referred to the electors of the City for Canby for approval or denial at the November 8, 2016 statewide general election.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

1. An election is hereby called for the purpose of submitting to the qualified voters of the City the question of allowing the establishment of marijuana businesses within the City.
2. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the November 8, 2016 election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by the City.
3. The City Recorder of the City of Canby is further authorized and directed to submit a Summary of the Measure to be placed in the voter's pamphlet explaining in clear and concise language the effect of such ballot measure. Such summary is attached to this Resolution in proper form and adopted by the City.
4. The City Recorder, the City Administrator, and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the November 8, 2016 election.

3-483

This Resolution shall take effect upon adoption.

ADOPTED this 15th day of June 2016, by the Canby City Council.

Signature Redacted



Brian Hodson
Mayor

ATTEST:

Signature Redacted



Kimberly Scheafer, MMC
City Recorder