

3-492

# Notice of Measure Election

2016 AUG 05 AM 6:40

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

City

<b>Notice</b>		
<b>Date of Notice</b> August 5, 2016	<b>Name of City or Cities</b> City of Gladstone	<b>Date of Election</b> 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.

Authorizing tax on recreational retail sales of marijuana items

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

Shall Gladstone impose a three percent tax on the sale of marijuana items by a marijuana retailer?

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

Under a state law, cities may adopt ordinances imposing up to a three percent tax or fee on the sale of recreational marijuana items in the city by state-licensed marijuana retailers as long as the ordinance is referred to the voters for approval at the next statewide general election. State law prohibits the city from imposing such a tax or fee if a prohibition on marijuana facilities in the city is in effect. This measure seeks the required voter approval for a three percent tax on recreational marijuana sold in the city by state-licensed marijuana retailers.

If this measure is approved and no prohibition on marijuana facilities is in effect, the City would be authorized to impose a three percent tax on recreational marijuana sales in Gladstone. No tax will be collected if voters approve a companion measure on the ballot seeking to prohibit marijuana facilities in the City.

**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.

<b>Name</b> Jacque M. Betz	<b>Title</b> Interim Assistant City Administrator
<b>Mailing Address</b> 525 portland Avenue, Gladstone, OR 97027	<b>Contact Phone</b> 503-557-2766

*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

8-5-16

Date Signed

Signature 

CCE-24

ORS 251.365

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

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

ELECTION DATE November 8, 2016		MEASURE NUMBER 3-492
BALLOT TITLE CAPTION Authorizing tax on recreational retail sales of marijuana items		
NAME OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT Jacque M. Betz, Interim Assistant City Administrator		
NAME OF ORGANIZATION PERSON REPRESENTS, IF ANY City of Gladstone		
TELEPHONE (HOME)	TELEPHONE (WORK) 503-557-2766	
FAX NUMBER 503-557-2768	E-MAIL ADDRESS betz@ci.gladstone.or.us	

Approval of this measure would impose a three percent tax on the sale of marijuana items by a marijuana retailer within the City. There are no restrictions on how the City may use the revenues generated by this tax. However, this measure will become operative only if the ballot measure prohibiting the establishment of certain marijuana registrants and licensees fails or if marijuana facilities are allowed to establish in the City in the future.

Under Measure 91, adopted by Oregon voters in November 2014, codified in ORS chapter 475B and amended by the Legislature in 2016, the Oregon Liquor Control Commission must license the retail sale of recreational marijuana. ORS 475B.345 provides that a city council may adopt an ordinance imposing up to a three percent tax on the sale of marijuana items (which include marijuana concentrates, extracts, edibles, and other products intended for human consumption and use) by retail licensees in the city, but the council must refer that ordinance to the voters at a statewide general election. The Gladstone City Council adopted an ordinance imposing a three percent tax on the sale of marijuana items by a retail licensee in the City, and, as a result, has referred this measure to the voters.

Under state law, if the city prohibits the establishment of medical marijuana processors, medical marijuana dispensaries, recreational marijuana producers, recreational marijuana processors, or recreational marijuana retailers, the city may not impose a tax or fee on the sale of recreational marijuana. The tax proposed by this measure will be operative only if the City does not have a prohibition in place on any of the marijuana facilities described above.

Under state law, prohibitions on marijuana facilities must also be approved by the voters. The City has also proposed a measure to prohibit the marijuana facilities described above. If that measure is approved at this election, the tax proposed by this measure will not be operative unless or until that prohibition is repealed.

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 Signature and number count may not exceed 500 words / numbers. Word / number count total: \_\_\_\_\_

*J. Betz* 8-5-16  
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 SIGNATURE OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT DATE