

**THE COMMON COUNCIL OF THE CITY OF MERRILL, OREGON
AN OREGON MUNICIPAL CORPORATION**

Ordinance No. 2052

An Ordinance Declaring a Ban on Psilocybin Service Centers)
And the Manufacture of Psilocybin Products)
PERMANENT BAN)

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, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale, and purchase of psilocybin services in the state; and

WHEREAS, as of June____ 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state’s psilocybin regulatory program, and the City of Merrill is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

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

WHEREAS, the City Council seeks to refer to the voters of City of Merrill the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city’s jurisdictional boundaries.

Now, therefore, the City Council of the City of Merrill hereby ordains as follows:

Section 1. Prohibition.

The establishment of psilocybin product manufacturers licensed under ORS 475A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of Merrill.

Section 2. Referral.

This ordinance is referred to the electors of the City of Merrill 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.

First reading this 17th day of August 2022.

Second reading and passage by the Common Council of the City of Merrill, Oregon this _____ day of _____ 2022.

Presented to the Mayor and by him approved and signed this _____ day of _____
2022.

ATTEST:

Mayor Bill Carlson Date

City Recorder Rayna Hernandez Date