

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR TILLAMOOK COUNTY, OREGON

In the Matter of Declaring a Temporary)
Ban on Certain Psilocybin Businesses) ORDINANCE #87
in Unincorporated Tillamook County)
and Declaring an Emergency; Referral)
to the Electors)

The Board of Commissioners for Tillamook County ORDAINS as follows:

Section 1. Findings

- (a) In November 2020, Ballot Measure 109 was passed by the electors of Oregon, thereby creating a program to permit licensed providers to administer psilocybin-producing mushroom and fungi products to individuals 21 years of age or older.
- (b) Ballot Measure 109 has been codified as ORS 475A.
- (c) 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.
- (d) 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.
- (e) To date the Oregon Health Authority has not completed rulemaking necessary to implement the state's psilocybin regulatory program, and Tillamook County is uncertain how the manufacture, delivery, and administration of psilocybin at psilocybin facilities will operate within the county.
- (f) The Tillamook County Board of Commissioners believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the unincorporated area of the county, in order to enable further time for the adoption of the state's psilocybin licensing and regulatory program, and to allow the county time to 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 citizens of Tillamook County.

Section 2. Title

This Ordinance shall be known as the "Psilocybin Temporary Ban Ordinance" and may be cited and pleaded as such and shall be cited herein as "this Ordinance", or by any reference to a section or subsection of this Ordinance.

Section 3. Authority

ORS 475A.718 allows that the governing body of a county may adopt an ordinance to be referred to the electors of the county at the next statewide general election to determine whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within unincorporated Tillamook County.

Section 4.

The establishment of psilocybin product manufacturers licensed under ORS 475A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited until December 31, 2024 in the unincorporated area of Tillamook County.

Section 5.

This Ordinance shall be referred to the electors of Tillamook County at the General Election on Tuesday, November 8, 2022.

Section 6.

The text of this Ordinance shall be provided to the Oregon Health Authority.

Section 7. Effective Date

Pursuant to ORS 203.045(9), this Ordinance takes effect upon the approval of a majority of those voting on the proposed ordinance.

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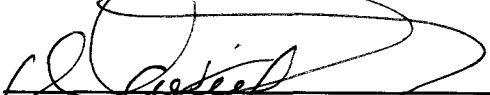
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Date of First Reading: August 3, 2022.
Date of Second Reading: August 17, 2022.

ADOPTED this 17th day of August, 2022.

BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

Aye Nay Abstain/Absent



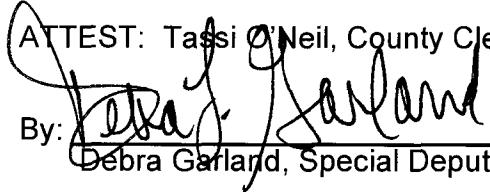
David Yamamoto, Chair




Erin D. Skaar, Vice Chair



Mary Faith Bell, Commissioner

ATTEST: Tassi O'Neil, County Clerk

By: _____
Debra Garland, Special Deputy

APPROVED AS TO FORM:



William K. Sargent,
County Counsel

