## BAKER COUNTY BOARD OF COUNTY COMMISSIONERS

## BAKER COUNTY, OREGON

An Ordinance Declaring a Ban on	)	
Psilocybin Product Manufacturers	)	ORDINANCE NO. 2022-04
And Psilocybin Service Center	)	
Operators within Unincorporated	)	
Baker County; Referral to Electors	)	

WHEREAS, in November 2020, Ballot Measure 109 was passed by the electors of Oregon, creating a program which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, Ballot Measure 109 has been codified as ORS Chapter 475A; and

WHEREAS, ORS Chapter 475A gives Oregon Health Authority the power to regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and also the power to regulate the provision of psilocybin services in the state; and

WHEREAS, Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications of psilocybin-related licenses on January 2, 2023; and

WHEREAS, to date, the Oregon Health Authority has not completed rulemaking necessary to provide regulatory oversight of Psilocybin Product Manufacturers and Psilocybin Service Center Operators; and

WHEREAS, ORS 475A.718 allows the governing body of a county to adopt an ordinance to be referred to the electors of the county prohibiting the establishment of Psilocybin Product Manufacturers and/or Psilocybin Service Center Operators subject to the jurisdiction of the County; and

WHEREAS, the Baker County Board of Commissioners believes that prohibiting the establishment of psilocybin product manufacturing and psilocybin service centers within the County's jurisdictional boundaries and allowing the County 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 people of Baker County;

NOW, THEREFORE,

The Board of County Commissioners for Baker County, Oregon, ordains as follows:

SECTION 1. PROHIBITION.

In accordance with ORS 475A.718, the following are prohibited in the unincorporated areas subject to the jurisdiction of Baker County:

- a. Psilocybin product manufacturing;
- b. Psilocybin service center operations;
- c. Any combination of the entities described in this section.

## SECTION 2. REFERRAL.

This ordinance shall be referred to the electors of Baker County for approval at the next statewide general election on November 8, 2022.

## SECTION 3. EFFECTIVE DATE.

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

Dated this day	of	, 2022	
BAKER COUNTY B	OARD OF C	OMMISSIONERS	:
William Harvey, Con	nmission Chai	ir	
Mark E. Bennett, Cor	nmissioner		
Bruce A. Nichols, Co			
Date of 1 <sup>st</sup> Reading: Date of 2 <sup>nd</sup> Reading:	day of	f f	, 2022. , 2022.
Attest:			

