

ORDINANCE NO. 908

AN ORDINANCE OF THE CITY OF SCAPPOOSE CREATING SCAPPOOSE MUNICIPAL CODE 5.07 – PSILOCYBIN SERVICE CENTERS

WHEREAS, the People of Oregon voted to pass Ballot Measure 109 in the 2020 General Election; and

WHEREAS, Measure 109 passed in both Scappoose and Columbia County in the November 2020 General Election; and

WHEREAS, Ballot Measure 109 directs the Oregon Health Authority to license and regulate the manufacturing, transportation, delivery, sale, and purchase of psilocybin products and the provision of psilocybin services; and

WHEREAS, 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; and

WHEREAS, ORS 475A.530 – Local time, place, and manner regulations provides that City and County governments in Oregon may exercise their home rule authority to adopt reasonable time, place, and manner restrictions on psilocybin service centers; and

WHEREAS, the City Council unanimously voted on August 8, 2022 to request that Staff bring back options for reasonable regulations above and beyond ORS 457A; and

WHEREAS, the City Council held a work session on October 17, 2022 in which Staff presented a set of time, place, and manner restrictions for the Council to consider and provide feedback on.

NOW, THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. A new Chapter 5.07 is adopted and added to the Scappoose Municipal Code as shown in Exhibit A.


Section 2. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

PASSED AND ADOPTED by the City Council this 21st day of November, 2022, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON


Scott Burge, Mayor

First reading: November 7, 2022
Second reading: November 21, 2022

Attest: 
Susan M. Reeves, MMC
City Recorder