

CITY OF SILVERTON
RESOLUTION
Amended 16-12

A RESOLUTION OF THE SILVERTON CITY COUNCIL APPROVING A REFERRAL TO THE ELECTORS OF THE CITY OF SILVERTON THE QUESTION OF IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA PRODUCTS BY A MARIJUANA RETAILER WITHIN THE CITY

WHEREAS, section 34a of House Bill 3400 (2015) provides that a City council may adopt an ordinance to be referred to the voters that imposes up to a three percent tax or fee on the sale of marijuana products by a marijuana retailer in the area subject to the jurisdiction of the City; and

WHEREAS, the City of Silverton City Council adopted Ordinance No. 16-06, which imposes a tax of three percent on the sale of marijuana products by a marijuana retailer in the area subject to the jurisdiction of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SILVERTON, AS FOLLOWS:

Section 1: A measure election is hereby called for the purpose of submitting to the electors of the City of Silverton a measure imposing a three percent tax on the sale of marijuana products by a marijuana retailer in the area subject to the jurisdiction of the City, a copy of which is attached hereto as “Exhibit A,” and incorporated herein by reference.

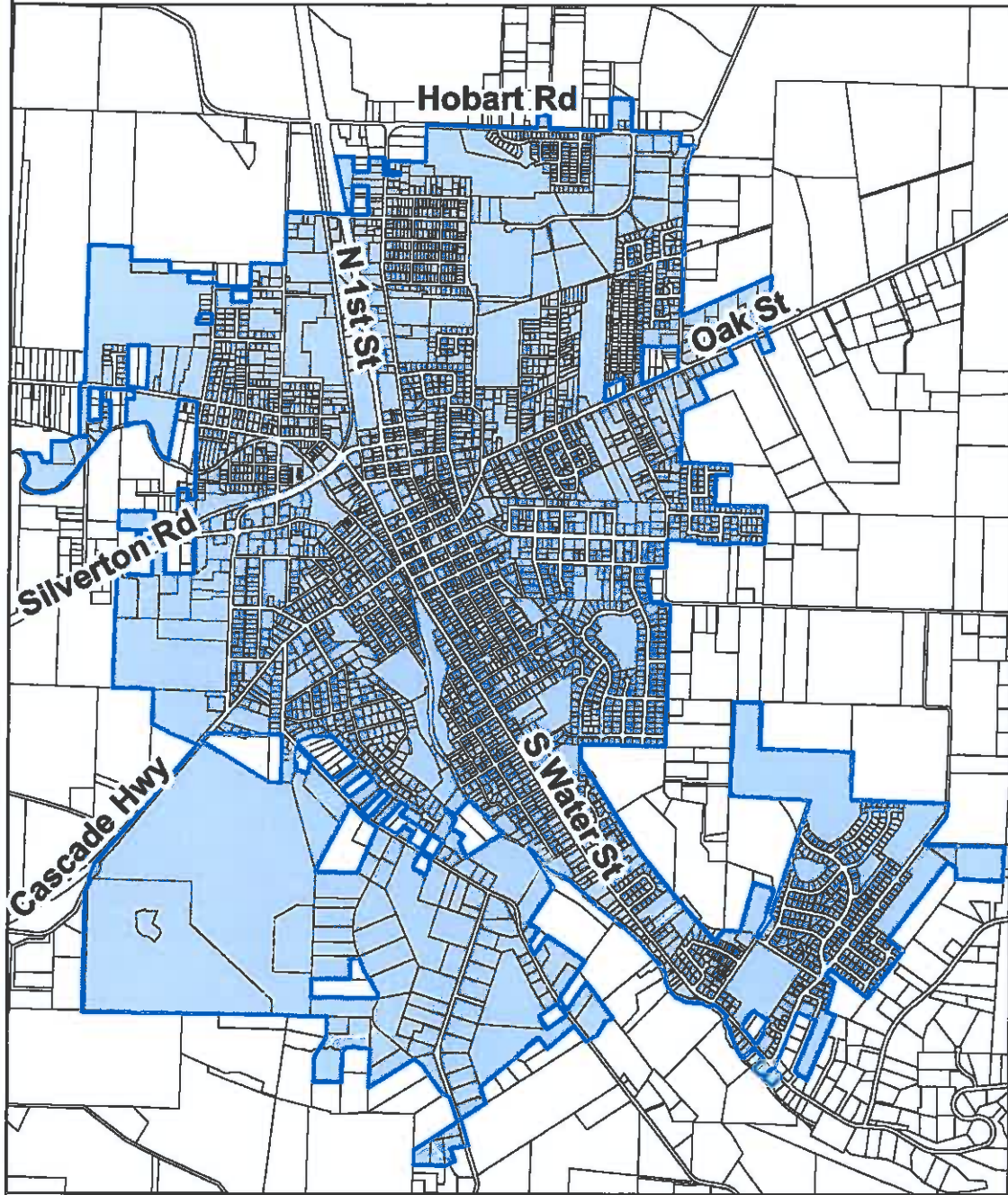
Section 2: The measure election shall be held in the City of Silverton on November 8, 2016. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of Marion County, according to the procedures adopted by the Oregon Secretary of State.

Section 3: The City of Silverton authorizes the City Manager, or their designee, to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

Section 4: The ballot title shall read as provided in Exhibit B.”

Section 5: The City Elections Officer shall publish in the next available edition of a newspaper of general circulation in the City a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

Exhibit 'A'



Legend

 Silverton City Limits




 Disclaimer:
This map was prepared by the City of Silverton Community Development Department as a general planning tool. It is not intended to be used for any other purpose. The Department cannot accept responsibility for errors or omissions, and therefore there are no warranties or disclaimers by this material.

Exhibit B

BALLOT TITLE: Authorizing tax on marijuana retailers' sales of recreational marijuana products.

QUESTION: Shall the City of Silverton impose a 3% tax on recreational marijuana products sold by a marijuana retailer in Silverton?

SUMMARY: Under a state law adopted in 2015 and codified at ORS475B.345, City councils in Oregon are authorized to adopt ordinances imposing up to a three percent tax or fee on the sale of recreational marijuana products in the City by state-licensed marijuana retailers as long as the measure of the ordinance is first referred to the electors of the City for approval at the next statewide general election. This measure seeks that approval from the electors of the City of Silverton.

If this measure is approved, the Silverton City Council would be authorized to impose a three percent (3%) tax on sales in Silverton of recreational marijuana products by state-licensed marijuana retailers.

EXPLANATORY STATEMENT:

Approval of this measure would impose a three percent tax on the sale of marijuana products by a recreational marijuana retailer within the City. If approved, the annual revenues from this tax are estimated to be \$25,500. There are no restrictions on how the City may use the revenues generated by this tax.

Under Measure 91, adopted by Oregon voters in November 2014 and amended by the Legislature in 2015, the Oregon Liquor Control Commission must license the retail sale of recreational marijuana. The 2015 Legislation provides that a City Council may adopt an ordinance imposing up to a three percent tax on the sale of marijuana products (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 City of Silverton City council has adopted an ordinance imposing a three percent tax on the sale of marijuana products by a retail licensee in the City, and, as a result, has referred this measure to the voters.

Section 6: The explanatory statement for the measure, which is attached hereto as “Exhibit B,” and incorporated herein by reference, is hereby approved.

Section 7: The City Elections Officer shall deliver the Notice of Measure Election to the county clerk for Marion County for inclusion on the ballot for the November 8, 2016 election.

Section 8: This resolution is effective upon adoption.

Resolution adopted by the City Council of the City of Silverton, this 6th day of June, 2016.



Mayor, City of Silverton
Rick Lewis

ATTEST



City Manager/Recorder, City of Silverton
Bob Willoughby