

TITLE 5

PUBLIC PEACE, HEALTH, SAFETY, AND WELFARE

SUBTITLE 4 - DRUGS AND ALCOHOL

CHAPTER 575

PSILOCYBIN PRODUCT MANUFACTURERS AND SERVICE CENTER OPERATORS CODE

TABLE OF CONTENTS

Section Title

- 575.001 Title**
- 575.002 Statement of purpose**
- 575.100 Definitions**
- 575.200 Referral to electors of Linn County**
- 575.300 Prohibition of Psilocybin Product Manufacturers and Service Center Operators in the unincorporated area of Linn County**
- 575.500 Notice to the Oregon Health Authority**

Statutory References and Other Authorities

Legislative History of Chapter 575

575.001 Title

This Chapter, LCC 575.001 to 575.999, shall be known and may be cited as the “Linn County Psilocybin Product Manufacturers and Service Center Operators Code” or simply as the “Psilocybin Product Manufacturers and Service Center Operators Code.”

[Adopted 22-253 §1, eff 11/8/22]

575.002 Statement of purpose

(A) ORS 475A.718 provides that a county may adopt ordinances that prohibit the establishment of State licensed Psilocybin Product Manufacturers and Service Center Operators in the unincorporated

area of the county subject to the jurisdiction of the county, with a requirement that the ordinance be referred to the electors of the county at the next statewide general election.

(B) *To ensure that the voice of the people of Linn County is heard on the matter*, the Linn County Board of Commissioners desires to refer the question of whether to allow Psilocybin Product Manufacturers and Psilocybin Service Center Operators to the voters of Linn County.

[Adopted 22-253 §1, eff 11/8/22]

575.100 Definitions

All terms have the meaning given in ORS 475A.220, or as otherwise used in ORS Chapter 475A.

[Adopted 22-253 §1, eff 11/8/22]

575.200 Referral to electors of Linn County

The ordinance adopting this Code, Ordinance No. 2022-253, shall be referred to the electors of Linn County at the next statewide general election, Tuesday November 8, 2022.

[Adopted 22-253 §1, eff 11/8/22]

575.300 Prohibition of Psilocybin Product Manufacturers and Service Center Operators in the unincorporated area of Linn County

In accordance with ORS 475A.718, and subject to the approval of the electors of Linn County at the November 8, 2022 General Election, the following are prohibited in the unincorporated area of Linn County:

(A) Psilocybin product manufacturers that hold a license issued under ORS 475A.290; and

(B) Psilocybin service center operators that hold a license issued under ORS 475A.305.

[Adopted 22-253 §1, eff 11/8/22]

575.500 Notice to the Oregon Health Authority

The text of this Code and enacting ordinance shall be provided to the Oregon Health Authority.

[Adopted 22-253 §1, eff 11/8/22]

Statutory References and Other Authorities:

ORS 203; Measure 109 (2020); ORS 475A

Pursuant to Measure 109 (2020), ORS 475A.718 provides that if a governing body of a county adopts an ordinance under the section, and provides a copy of the ordinance to the Oregon Health Authority, the Oregon Health Authority shall discontinue licensing premises which are prohibited by the ordinance, until the date of the next statewide general election.

Linn County Ordinance 2022-253 as adopted provided that “The ordinance adopting this Code, Ordinance No. 2022-253, shall be referred to the electors of Linn County at the next statewide general election, Tuesday November 8, 2022.” At the November 8, 2022 general election the electors of Linn County voted 57.27 percent in favor and 42.73 percent opposed, and the referral was approved by a majority of those voting.

Legislative History of Chapter TBD:

Adopted 22-253 §1, effective 11/8/22

Amendments to 22-253:

#1 none