

## RESOLUTION NO. 1710

### **A RESOLUTION APPROVING REFERRAL TO THE ELECTORS OF THE CITY OF TILLAMOOK THE QUESTION OF IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER WITHIN THE JURISDICTION OF THE CITY**

**WHEREAS**, ORS 475b.345 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 items by a marijuana retailer in the area subject to the jurisdiction of the City; and

**WHEREAS**, the Tillamook City Council adopted Ordinance 1310 which imposes a tax of three percent on the sale of marijuana items by recreational marijuana dispensaries in the area subject to the jurisdiction of the City.

### **NOW, THEREFORE, THE CITY OF TILLAMOOK RESOLVES AS FOLLOWS:**

#### **SECTION 1. MEASURE.**

A measure election is hereby called for the purpose of submitting to the electors of the City of Tillamook a measure imposing a three percent tax on the sale of recreational marijuana items by a marijuana retailer in the area subject to the jurisdiction of the City.

#### **SECTION 2. ELECTION CONDUCTED BY MAIL.**

The measure election shall be held in the City of Tillamook on November 8, 2016 for the next general election. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of Tillamook County, according to the procedures adopted by the Oregon Secretary of State.

#### **SECTION 3. DELEGATION.**

The City of Tillamook authorizes the City Manager, or the City Manager's 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. PREPARATION OF BALLOT TITLE.**

The City staff has prepared the attached ballot title for the measure (Exhibit A). The City Manager or the Mayor shall have the authority to make minor changes to the Ballot Title at any time in order to correct clerical errors or correct any technical deficiency, so long as such changes do not materially adjust the substance of the Ballot Title and are in keeping with its original intent.

**SECTION 5. NOTICE OF BALLOT TITLE AND RIGHT TO APPEAL.**

Notice of Receipt of Ballot Title was published in the July 20, 2016 edition of the Headlight Herald, a newspaper of general circulation in the City, including notice that an elector may file a petition for review of the ballot title not later than the date provided in ORS 250.296.

**SECTION 6. FILING WITH COUNTY ELECTIONS OFFICE.**

The City Recorder shall deliver the Notice of Measure Election to the County Clerk for Tillamook County for inclusion on the ballot for the November, 2016 election.

**SECTION 7. EFFECTIVE DATE.**

This resolution is effective upon passage and approval by the City Council.

**PASSED** by the City Council and approved by the Mayor this 8<sup>th</sup> day of August, 2016.

Approved:

\_\_\_\_\_  
Suzanne Weber, Mayor

Attest:

\_\_\_\_\_  
Abigail Donowho, City Recorder

# BALLOT TITLE

## Caption

IMPOSES CITY SALES TAX ON MARIJUANA AND MARIJUANA ITEMS

## Question

Should a three percent (3%) sales tax be imposed on marijuana and marijuana products sold within the City of Tillamook?

## Summary

Under state law, a city council may adopt an ordinance to be referred to the voters of the city imposing up to a three percent tax or fee on the sale of marijuana items in the city by a licensed marijuana retailer.

A **"YES"** vote would impose a three percent tax on the sale of marijuana items in the city by a licensed marijuana retailer. The tax would be collected at the point of sale and remitted to the City of Tillamook by the marijuana retailer. The proposed sales tax is authorized by ORS 475B.345 and has been established in Ordinance 1310 of the City of Tillamook.