

34-264
AUG 22 11:53:29
SEL 802

rev 01/16 ORS 250.035, 250.041,
250.275, 250.285, 254.095, 254.465

Notice of Measure Election

City

Referred to the Voters by the City Council

Notice

Date of Notice

August 22, 2016

Name of City or Cities

City of Sherwood

Date of Election

November 8, 2016

Final Ballot Title The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

Caption 10 words which reasonably identifies the subject of the measure.

Prohibits certain recreational marijuana facilities in Sherwood

Question 20 words which plainly phrases the chief purpose of the measure.

Shall recreational marijuana producers, processors, wholesalers, and retailers be prohibited in Sherwood?

Summary 175 words which concisely and impartially summarizes the measure and its major effect.

State law allows operation of licensed recreational marijuana producers, processors, wholesalers, and retailers. State law also provides that a city council may adopt an ordinance to be referred to the city's voters to prohibit the establishment of one or more of those categories of facilities within the city's boundaries. The Sherwood City Council adopted such an ordinance and referred it to this election.

Approval of this measure would prohibit the establishment and operation of recreational marijuana producers, processors, wholesalers, and retailers within the city. Medical marijuana facilities would not be affected.

If this measure is approved, the city will be ineligible to receive distributions of state marijuana tax revenue and will be unable to impose a local tax or fee on the sale of recreational marijuana items by recreational marijuana retailers. A separate measure on this ballot would impose such a local tax. If this measure prohibiting recreational marijuana facilities is approved by voters, the local tax measure will therefore have no effect even if it is also approved.

Explanatory Statement 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

→ any measure referred by the city governing body; or

→ any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached?

Yes

No

Authorized City Official Not required to be notarized.

Name

Sylvia Murphy

Title

City Recorder/Elections Official

Mailing Address

22560 SW Pine Street, Sherwood, Or 97140

Contact Phone

503-625-4246

By signing this document:

→ I hereby state that I am authorized by the city to submit this Notice of Measure Election; and

→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.



Signature



Date Signed

Measure Explanatory Statement for County Voters' Pamphlet

Important! Please read all instructions before completing this form. This form is to be used when filing a 'Measure Explanatory Statement for County Voters' Pamphlet' with your County Elections office. If a local government is located in more than one county, the county clerk of the county in which the city hall of the city or the administrative office of the local government is located shall be the filing officer for the 'Measure Explanatory Statement for County Voters' Pamphlet'.

Filing Information

Election: Primary 20____ General 20 16 Special _____ Measure # 34-264

Ballot Title Caption

Prohibits certain recreational marijuana facilities in Sherwood

Name of Person responsible for content of 'Explanatory Statement' (as it should appear in the Voters' Pamphlet):

Sylvia Murphy, City Recorder/Elections Official

Name of Jurisdiction/Organization Person is authorized to represent (as it should appear in the Voters' Pamphlet):

City of Sherwood

CONTACT INFORMATION

Phone: Cell: _____ Work: (503) 625-4246 Home: _____

E-Mail: murphys@sherwoodoregon.gov

SIGNATURE

Sylvia Murphy
Signature of person responsible for content of 'Explanatory Statement'

August 22, 2016
Date

MEASURE EXPLANATORY STATEMENT

See attached for 'Measure Explanatory Statement' (500 word/number MAX).

For Office Use only:

County: WA

Signed? Yes No

'Measure Explanatory Statement' attached?

Yes No

Word Count (500 max):

Digital copy? Yes No

Review Staff Initials:

Intake Staff Initials:

AMS

Exhibit 2
Explanatory Statement

Approval of this measure would prohibit the establishment and operation of certain recreational marijuana facilities within the City of Sherwood.

Measure 91, approved by Oregon voters in 2014, provides that the Oregon Liquor Control Commission will license recreational marijuana producers (those who manufacture, plant, cultivate, grow, or harvest marijuana), processors, wholesalers, and retailers. State law also provides that a city council may adopt an ordinance prohibiting the establishment of one or more of those categories of facilities within the city, but the council must refer the ordinance to the city's voters at a statewide general election. The Sherwood City Council has adopted an ordinance prohibiting the establishment and operation of recreational marijuana producers, processors, wholesalers, and retailers within the city and, as a result, has referred this measure to the voters.

If approved, this measure would prohibit recreational marijuana producers, processors, wholesalers, and retailers within the city. Medical marijuana facilities would not be affected by this measure.

Approval of this measure has revenue impacts. Currently, ten percent of state marijuana tax revenues will be distributed to cities to assist local law enforcement in performing their duties under Measure 91. If approved, this measure would make the city ineligible to receive those distributions of state marijuana tax revenues.

Additionally, state law provides that a city may impose up to a three percent local tax on the sale of recreational marijuana items by licensed recreational marijuana retailers in the city. However, state law also provides that a city that prohibits the establishment of recreational marijuana producers, processors, wholesalers, or retailers may not impose such a local tax. A separate measure on this ballot would impose a local tax on sales of recreational marijuana items by licensed recreational marijuana retailers. If this measure prohibiting certain recreational marijuana facilities is approved by voters, the local tax measure will have no effect even if it is also approved.