

**City of Lebanon**  
**Notice of Receipt of Ballot Title**  
**For the November 8, 2016 Election**

Notice is hereby given that a ballot title for a City-referred measure has been filed with the Elections Office of the City of Lebanon on July 14, 2016. The measure is intended for the November 8, 2016 General Election.

Pursuant to ORS 250.296, an elector may file a petition for review of this ballot title in the Linn County Circuit Court no later than the seventh business day after the title is filed with the City Elections Office. The elector filing the petition shall notify the City Elections Official in writing that the petition was filed and the notice shall be given not later than 5:00 p.m. on the next business day following the day the petition is filed.

The ballot title is as follows:

**BALLOT TITLE CAPTION**

Prohibits certain marijuana registrants and/or licenses in Lebanon, Oregon.

**QUESTION**

Shall Lebanon, Oregon prohibit recreational marijuana producers, processors, wholesalers, and retailers in Lebanon, Oregon?

**SUMMARY**

State law allows operation of registered medical marijuana processors, medical marijuana dispensaries and licensed recreational marijuana producers, processors, wholesalers, and retailers. State law provides that a city council may adopt an ordinance to be referred to the voters to prohibit the establishment of any of those registered or licensed activities. Approval of this measure would prohibit the establishment and operation of recreational marijuana producers, processors, wholesalers, and retailers within the area subject to the jurisdiction of the City of Lebanon.

If this measure is approved, the city will be ineligible to receive distributions of state marijuana tax revenues and will be unable to impose a local tax or fee on the production, processing or sale of marijuana or any product into which marijuana has been incorporated.

**EXPLANATORY STATEMENT**

Approval of this measure would prohibit the establishment and operation of certain marijuana activities within the city. ORS 475B.005 to 475B.399 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.

A city council may adopt an ordinance prohibiting the establishment of any of those entities within the city, but the council must refer the ordinance to the voters at a statewide general election. The City of Lebanon City Council has adopted an ordinance prohibiting the establishment and operation

of recreational marijuana producers, processors, wholesalers, and retailers within the City of Lebanon 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 of Lebanon.

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 ORS 475B.760(2). If approved, this measure would make the city ineligible to receive distributions of state marijuana tax revenues.

Currently, under ORS 475B.345, a city may impose up to a three percent tax on the sale of marijuana items by a marijuana retailer in the city. However, a city that adopts an ordinance prohibiting the establishment of recreational marijuana producers, processors, wholesalers, or retailers may not impose a local tax or fee on the production, processing or sale of marijuana or any product into which marijuana has been incorporated. Approval of this measure would therefore prevent a city from imposing a local tax on those activities.

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