

Measure 26-248

# Notice of Measure Election

**SEL 802**

rev 01/18 ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465

City

**Notice**

**Date of Notice**

July 10, 2024

**Name of City or Cities**

City of Troutdale

**Date of Election**

November 5, 2024

**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.

[See Attached]

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

[See Attached]

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

[See Attached]

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MULTI-COUNTY  
DIRECTOR OF ELECTIONS

**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**

Sarah Skroch

**Title**

City Recorder

**Mailing Address**

219 E. Historic Columbia River Hwy., Troutdale, OR 97060

**Contact Phone**

503-674-7258

*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.

7/11/24

Signature

Date Signed

BALLOT TITLE

A caption which reasonably identifies the subject of the measure

*10-word limit under ORS 250.035(1)(a)*

*10 Words*

Prohibits additional recreational marijuana retailers in Troutdale, allows existing retailers.

QUESTION

A question which plainly phrases the chief purpose of the measure so that an affirmative response to the question corresponds to an affirmative vote on the measure

*20-word limit under ORS 250.035(1)(b)*

*20 Words*

Shall Troutdale prohibit additional recreational marijuana retailers in the city, but allow existing retailers and other types of marijuana businesses?

SUMMARY

A concise and impartial statement summarizing the measure and its major effect

*175- word limit under ORS 250.035(1)(c)*

*166 Words*

State law regulates both recreational and medical marijuana operations, including and retailers.

State law allows a city council to adopt ordinances to be referred to the voters that prohibit the establishment of any of registered or licensed marijuana activities, while allowing existing activities to continue.

Approval of this measure will prohibit the establishment of additional recreational marijuana retailers within the city. Existing recreational marijuana retailers, all producers, processors and wholesalers, as well as medical marijuana registrants will not be affected by this ordinance.

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.

Existing recreational marijuana retailers in the City may continue to offer for sale marijuana and marijuana products such as concentrates, extracts, edible products, and other products intended for human consumption and use in compliance with state law.

## EXPLANATORY STATEMENT

An impartial, simple and understandable statement explaining the measure and its effect for use in the county voters' pamphlet

*500-word limit under ORS 251.345 and OAR 165-022-0040(3)*  
*377 Words*

Approval of this measure would prohibit the establishment and operation of additional recreational marijuana retailers within the city.

This measure will not apply to existing licensed recreational marijuana retailers in the City. It will not apply to any medical marijuana businesses or dispensaries. It will prohibit additional recreational marijuana retailers from locating in the city.

ORS chapter 475C directs the Oregon Liquor and Cannabis Commission to 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 Council of Troutdale has adopted the text of this ordinance prohibiting the establishment of additional recreational marijuana retailers within the city and has referred this measure to the voters.

If approved, this measure would prohibit recreational marijuana retailers from establishing new retail sales stores after March 14, 2023, within the City. Recreational Marijuana Retailers that were licensed to operate in the City prior to March 14, 2023 may continue to operate under those licenses. Medical marijuana processors and medical marijuana dispensaries that were registered with the state before the city council adopted the ordinance, and medical marijuana dispensaries that had applied to be registered on or before July 1, 2015, can continue operating in the City even if this measure is approved.

Approval of this measure has revenue impacts. In fiscal year 2021-22, the city received \$23,552 state marijuana tax revenues, and in fiscal year 2022-23, the City received \$17,798 under ORS chapter 475C. If approved, this measure would make the city ineligible to receive distributions of state marijuana tax revenues.

Currently, a city may impose up to a 3% tax on the sale of marijuana items by marijuana retailers in the city. The City does not currently collect such a tax. However, a city that adopts an ordinance prohibiting the establishment of any recreational marijuana 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 the City from imposing a local tax on those activities.

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