

ORDINANCE No. 2024
BEFORE THE CITY COUNCIL
FOR THE CITY OF HOOD RIVER, OREGON

An Ordinance Adopting a 3% Tax on the Sale of Certain Marijuana Items Sold Within the Corporate Limits of the City of Hood River; Referring the Question of a Tax on the Sale of Certain Marijuana Items to the Voters of the City at the November 2016 General Election, and declaring an Emergency.

WHEREAS, ORS 475B.345 provides that a city council may adopt an ordinance to be referred to the electors of the city that imposes a tax of up to 3% on the sale of certain marijuana items by a marijuana retailer within the area subject to the City's jurisdiction; and

WHEREAS, at its regular meeting of June 27, 2016, the Hood River City Council considered the question of whether to adopt and impose a tax of 3% on the sale of certain marijuana items by a retailer within the area subject to the City's jurisdiction, at which time the Council accepted written and oral testimony on the question.

NOW THEREFORE, based on the foregoing recitals, the Hood River City Council Ordains as follows:

Section 1. Definitions. The following definitions shall apply in the interpretation and administration of this Ordinance:

- Marijuana item has the meaning given that term in ORS 475B.015(16).
- Marijuana retailer means a person who sells marijuana items to a consumer in this state.
- Retail sale price means the price paid for a marijuana item, excluding tax, to a marijuana retailer by or on behalf of a consumer of the marijuana item.

Section 2. Tax Imposed. As described in ORS 475B.345 the City of Hood River hereby imposes a tax of 3% on the retail sale price of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city.

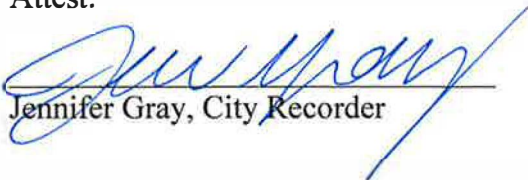
Section 3. Tax Collection. The tax shall be collected at the point of sale of a marijuana item by a marijuana retailer at the time at which the retail sale occurs and remitted by each marijuana retailer that engages in the retail sale of marijuana items. Such tax payments shall be made by each marijuana retailer to the City Finance Director no later than the last business day of March, June, September and December for taxes collected by the retailer during the preceding three months. Money collected shall be allocated toward public safety and education.

Section 4. Referral. This ordinance shall be referred to the electors of the city of Hood River at the next statewide general election, which is Tuesday, November 8, 2016. The City Manager, in consultation with the City Attorney, is authorized to take all necessary actions and prepare and file all appropriate forms and papers with the Hood River County Elections Official to effectuate the referral of this tax to the electors of Hood River in substantial conformance with the draft Notice of Ballot Title attached hereto.

Section 5. Emergency. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance shall be in full force and effect upon its passage and adoption by the City Council.

PASSED, ADOPTED and EFFECTIVE this 27 day of June by a majority of the Hood River City Council.

Attest:



Jennifer Gray, City Recorder

Approved:



Paul Blackburn, Mayor

NOTICE OF BALLOT TITLE

CITY INITIATED MEASURE TO IMPOSE A 3% TAX ON THE SALE OF CERTAIN MARIJUANA ITEMS

NOTICE IS HEREBY GIVEN that a ballot title for a measure referred by the Hood River City Council has been filed with the City of Hood River Election Office on _____, 2016.

NOTICE IS FURTHER GIVEN that the Hood River City Manager has determined that the proposal contains only one subject, as required by section 1(2)(d), Article IV of the Oregon Constitution.

NOTICE IS FURTHER GIVEN that the Hood River City Attorney has submitted the following ballot title for the proposal:

BALLOT TITLE

MEASURE No. _____

CAPTION: Imposes city tax on marijuana retailer's sale of marijuana items

QUESTION: Shall Hood River impose a 3% tax on the sale of marijuana items sold by retailers in the City?

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. Approval of this measure would impose a 3% 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 by the marijuana retailer to the City.

Any person who wishes to contest the ballot title or explanatory statement as written must file a petition for review of the ballot title in Circuit Court for Hood River County as provided in ORS 250.296 not later than the 7th business day following the date of this Ballot Title Notice.

Steve Wheeler, Hood River City Manager and Elections Official

DATE: _____