

ORDINANCE NO 921
AN ORDINANCE AMENDING ORDINANCE 919 AN ORDINANCE ESTABLISHING A
TAX ON THE SALE OF MARIJUANA AND MARIJUANA-INFUSED PRODUCTS IN
THE CITY OF OAKRIDGE

WHEREAS, Section 4 of the Oakridge Charter provides:

Powers of the City. The City shall have all powers that the constitutions, statutes, and common law of the United States and of this state expressly or impliedly granted or enumerated each of those powers; and

WHEREAS, ORS 475B.345 allows the City of Oakridge to impose a local tax of up to 3% on retail sales of recreational marijuana items within the City if the local tax is approved by the voters of the City at general election; and

WHEREAS, the Oakridge City Council referred Ordinance No. 919, an ordinance imposing a local tax on retail sales of recreational marijuana items within the City, to the voters of Oakridge at the November, 2016 general election; and

WHEREAS, on November 8, 2016, the voters of the City of Oakridge approved Ordinance No. 919; and

WHEREAS, on December 1, 2016, the Oakridge City Council adopted a resolution setting rate of the local marijuana tax at 3%; and

WHEREAS, the Oakridge City Council wants to ensure both that the City can administer its local marijuana tax if need be, but that the City also has the flexibility to contract with another agency or entity to administer the tax;

NOW THEREFORE, THE CITY OF OAKRIDGE ORDAINS AS FOLLOWS:

SECTION 1. Ordinance No. 919 is amended as follows:

Notwithstanding any provision of Ordinance No. 919, the City may enter into an intergovernmental agreement authorized by ORS 190.010, ORS 190.110, or ORS 305.620 for collection of the tax imposed by section 2 of Ordinance No. 919. The City Council shall authorize by resolution any intergovernmental agreement entered into pursuant to this ordinance, after making a finding that any collection, enforcement, appeal, or refund procedures authorized by the intergovernmental agreement are comparable to, or provide greater protections to marijuana retailers and to the public, than the procedures set out in sections 4 through 7 of Ordinance No. 919. If an intergovernmental agreement entered into pursuant to this ordinance is approved by Council resolution, the tax collection and enforcement procedures authorized by the intergovernmental agreement shall govern collection of the tax imposed by section 2 of Ordinance No. 919 as provided in the intergovernmental agreement.

SECTION 2. SEVERABILITY. Any provision of this Ordinance which proves to be invalid, void, or illegal shall in no way affect, impair, or invalidate any other provision of this Ordinance, and the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 3. CODIFICATION. The City Recorder is hereby authorized and directed to codify Section 1 of this ordinance in an appropriate Title of the Oakridge Municipal Code and to change the word "Ordinance" to "Chapter" as appropriate when codified.

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect on the 30th day after its adoption by the Oakridge City Council.

READ BY TITLE ONLY, PASSED AND ADOPTED by a vote of the Oakridge City Council this 1st Day of December, 2016.

PASSED BY THE COUNCIL of the City of Oakridge this 1st Day of December, 2016.

APPROVED AND SIGNED BY THE MAYOR of the City of Oakridge this 1st day of December, 2016.

Signed: 
James B. Coey, Mayor

Attest: 
Susan M. LaDuke, City Recorder

Ayes: 6

Nays: 0