

**ORDINANCE NO. 1428**

**AN ORDINANCE OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON,  
IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA ITEMS BY A  
MARIJUANA RETAILER; REFERRING ORDINANCE**

**WHEREAS**, section 34a of HB 3400 (2015) provides that a city council may adopt an ordinance to be referred to the voters that imposes a three percent tax on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city; and

**WHEREAS**, the Canby City Council desires to impose a tax on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city;

**NOW THEREFORE THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:**

**DEFINITIONS.**

**Marijuana item** has the meaning given that term in Oregon Law 2015, chapter 614, section 1.

**Marijuana retailer** means any entity licensed by the Oregon Liquor Control Commission to sell marijuana items to a consumer in this state.

**Retail sale price** means the price paid for the marijuana item, excluding tax, to a marijuana retailer by or on behalf of a consumer of the marijuana item.

**TAX IMPOSED.** As described in section 34a of House Bill 3400 (2015), the City of Canby, Clackamas County, Oregon, hereby imposes a tax of three percent on the retail sale price of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city.

**COLLECTION.** The tax shall be collected at the point of sale of the 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.


**REFERRAL.** This ordinance shall be referred to the electors of the City of Canby, Clackamas County, Oregon at the next statewide general election on Tuesday, November 8, 2016.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, October 21, 2015 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, November 4, 2015, commencing at the hour of 7:30 PM in the Council Meeting Chambers located at 155 NW 2<sup>nd</sup> Avenue, Canby, Oregon.

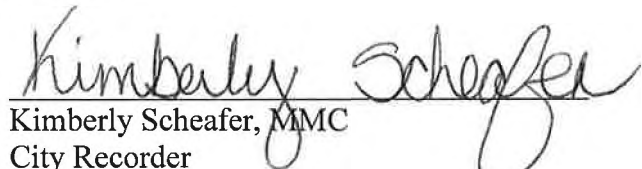
  
Kimberly Scheafer, MMC  
City Recorder

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 4<sup>th</sup> day of November 2015, by the following vote:

YEAS 6 NAYS 0

  
Brian Hodson  
Mayor

ATTEST:

  
Kimberly Scheafer, MMC  
City Recorder