

**RESOLUTION NO. 1228**

**A RESOLUTION APPROVING REFERRAL TO THE ELECTORS OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, THE QUESTION OF IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER WITHIN THE CITY.**

**WHEREAS**, section 34a of HB 3400 provides that a city council may adopt an ordinance to be referred to the voters that imposes up to 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 City of Canby City Council adopted Ordinance 1428 on November 4, 2015, which imposes a tax of three percent on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city;

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the City of Canby Council:

**MEASURE.** A measure election is hereby called for the purpose of submitting to the electors of the City of Canby, Clackamas County Oregon, a measure imposing a three percent tax on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the city.

**ELECTION CONDUCTED BY MAIL.** The measure election shall be held in the City of Canby on November 8, 2016. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of Clackamas County, according to the procedures adopted by the Oregon Secretary of State.

**DELEGATION.** The City of Canby authorizes the City Administrator or designee, to act on behalf of the city to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

**PREPARATION OF BALLOT TITLE, QUESTION, SUMMARY, AND EXPLANATORY STATEMENT.** The City Attorney is hereby directed to prepare the ballot title, question, summary, and explanatory statement for this measure, and deposit them with the City Recorder within the times set forth by law.

**NOTICE OF BALLOT TITLE AND RIGHT TO APPEAL.** Upon receiving the ballot title for this measure, the City Recorder shall publish in the next available edition of a newspaper of general circulation in the city a notice of receipt of ballot title, including notice that an elector may file a petition for review of ballot title.

**FILING WITH COUNTY ELECTIONS OFFICE.** The City Recorder shall deliver the Notice of Measure Election to the County Clerk for Clackamas County for inclusion on the ballot for the November 8, 2016 election.

This Resolution shall take effect November 18, 2015.

ADOPTED this 18<sup>th</sup> day of November 2015, by the Canby City Council.



Brian Hodson  
Mayor

ATTEST:



Kimberly Scheafer, MMC  
City Recorder