

## RESOLUTION NO 16-11

### A RESOLUTION OF THE CITY OF COOS BAY, COOS COUNTY, OREGON, CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF WHETHER STATE LICENSED MARIJUANA BUSINESS BE ALLOWED WITHIN THE CITY.

WHEREAS, the City Council of the City of Coos Bay, Coos County, Oregon (the "City"), has approved a summary of the ballot measure:

Currently, the City's business license requirements prohibit any type of business which violates Federal, State, or local laws. While Oregon law allows for marijuana dispensaries and other marijuana related activities, the use and sale of marijuana remains illegal under Federal law. An affirmative vote on this measure would amend the City's business license requirements to permit the establishment of state – registered and licensed medical and recreational marijuana businesses in the City that are in compliance with local land use ordinances, despite Federal law prohibiting the use and sale of marijuana.

BE IT RESOLVED by the City Council of the City of Coos Bay, Coos County, Oregon, that:

- A. A measure election is hereby called for the purpose of submitting to the electors of the City the question of should the business license ordinance be amended to allow state registered and licensed marijuana businesses to operate within the city.
- B. The measure election hereby called shall be held on the 8<sup>th</sup> day of November 2016.
- C. The City authorizes the City Manager, Finance Director, or the designee of either of those officials (each an "Authorized Representative") to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.
- D. Pursuant to ORS 250.275(5) and 250.296, the City Elections official shall publish the ballot title, by July 28, 2016, in The World or in some other newspaper of general distribution within the City, a notice of receipt of the ballot title including notice that a dissatisfied registered voter may file a petition with the Circuit Court for review of the ballot title not later than the seventh business day after the ballot title is filed in substantially the form of Exhibit B.
- E. Pursuant to ORS 254.095, the City Elections official will deliver a Notice of City Measure Election in substantially the form of Exhibit A to the Coos County Elections Office.
- F. This resolution shall take effect immediately upon its adoption by the City Council.

The foregoing resolution was duly adopted by the City Council of the City of Coos Bay, Coos County, Oregon this 19<sup>th</sup> day of July 2016.

ATTEST:

  
Susanne Baker, City Recorder

  
Crystal Shoji, Mayor

# Notice of Measure Election

EXHIBIT A

SEL 802

City

rev 01/16 ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465**Notice****Date of Notice**

August 1, 2016

**Name of City or Cities**

City of Coos Bay

**Date of Election**

November 8, 2016

**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.

Shall state licensed marijuana business be allowed within the city.

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

Should the business license ordinance be amended to allow state registered and licensed marijuana businesses to operate within the city?

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

Currently, the City's business license requirements prohibit any type of business which violates Federal, State, or local laws. While Oregon law allows for marijuana dispensaries and other marijuana related activities, the use and sale of marijuana remains illegal under Federal law. An affirmative vote on this measure would amend the City's business license requirements to permit the establishment of state – registered and licensed medical and recreational marijuana businesses in the City that are in compliance with local land use ordinances, despite Federal law prohibiting the use and sale of marijuana.

**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**

Rodger Craddock

**Title**

City Manager

**Mailing Address**

500 Central Ave, Coos Bay, Oregon, 97420

**Contact Phone**

541-269-8915

*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.



Signature

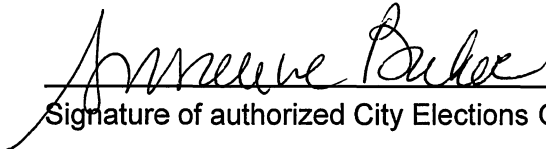
7-20-16

Date Signed

**EXHIBIT B**

**NOTICE OF RECEIPT OF BALLOT TITLE**

Notice is hereby given that a ballot title for a measure referred by the City has been filed with the City Recorder on July 19, 2016. The ballot title caption is shall state licensed marijuana business be allowed within the City. An elector may file a petition for review of this ballot title in Coos County Circuit Court no later than 5:00 p.m., July 28, 2016 (seven (7) business days after filing of this notice with the City Recorder) under ORS 250.296.

  
\_\_\_\_\_  
Signature of authorized City Elections Officer

7-20-16  
\_\_\_\_\_  
Date signed

Susanne Baker  
\_\_\_\_\_  
Printed name of authorized City Election Authority

City Recorder  
\_\_\_\_\_  
Title

This legal notice is to be published by the City Recorder in The World, Coos Bay, Oregon, or in another newspaper of general distribution within the City.