

ORDINANCE NO. 992

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE TITLE 3.20,
IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA ITEMS BY A
MARIJUANA RETAILER AND REFERRING ORDINANCE TO VOTERS

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

WHEREAS, the City Council wants 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 STAYTON ORDAINS AS FOLLOWS:

Section 1. Chapter 3.20 of the Stayton Municipal Code relating to Marijuana Retailers is hereby added to the Stayton Municipal Code as set forth in Exhibit "A", attached hereto and incorporated herein.

Section 2. Referral. This ordinance shall be referred to the electors of Stayton at the next statewide general election on Tuesday, November 8, 2016 is the next statewide general election.

Section 3. This Ordinance shall be effective 30 days from date of its adoption by the Council and approval by the Mayor.

ADOPTED BY THE STAYTON CITY COUNCIL THIS ^{19th} 18th DAY OF JANUARY, 2016.

Signed 01/19, 2016

By: Henry A. Porter
Henry A. Porter, Mayor

Signed 1/19, 2016

Attest: Keith D. Campbell
Keith D. Campbell, City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney

CHAPTER 3.20
MARIJUANA RETAILER TAX

3.20.010 DEFINITIONS

- **MARIJUANA ITEM:** Has the meaning given that term in Oregon Laws 2015, chapter 614, section 1.
- **MARIJUANA RETAILER:** Means a person who sells marijuana items to a consumer in this state.
- **RETAIL SALES 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.

3.20.020 TAX IMPOSED

As described in section 34a of House Bill 3400 (2015), the City of Stayton 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.

3.20.030 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.