

ORDINANCE NO. 245

AN ORDINANCE OF THE CITY OF DETROIT IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER AND REFERRING THE ORDINANCE TO THE 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 Detroit City Council voted at its regular meeting of September 8, 2015 to impose a tax on the sale of marijuana items by recreational marijuana dispensaries in the area subject to the jurisdiction of the City;

NOW THEREFORE, THE CITY OF DETROIT, OREGON, ORDAINS AS FOLLOWS:

SECTION 1 - DEFINITIONS

Marijuana item means marijuana, cannabinoid products, concentrates and extracts as described in Oregon Laws 2015, Chapter 614, Section 1.

Marijuana retailer means a person who sells marijuana items to a consumer within the City of Detroit or in the State of Oregon.

Recreational Marijuana Dispensary means any facility or operation designed, intended or used for purposes of functioning as a marijuana retailer. Recreational Marijuana Dispensary does not include a Medical Marijuana Dispensary.

Retail sale 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.

SECTION 2 - TAX IMPOSED

As described in Section 34a of House Bill 3400 (2015), the City of Detroit hereby imposes a tax of three percent (3%) on the retail sale price of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the City.

SECTION 3 – 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.

SECTION 4 – REFERRAL

This ordinance shall be referred to the electors of the City of Detroit at the next statewide general election on Tuesday, November 8, 2016.

Passed by the Common Council of the City of Detroit, Oregon, this 12th day of July, 2016

AYES: _____ NAYS: _____ ABSENT: _____

CITY OF CITY OF DETROIT, OREGON

Signed:

Attest:

James R. Trett, Acting Mayor

Christine Pavoni, City Recorder