

CITY OF NEWPORT
ORDINANCE NO. 2097

AN ORDINANCE OF THE CITY OF NEWPORT
IMPOSING A THREE PERCENT TAX
ON THE SALE OF MARIJUANA ITEMS BY A
MARIJUANA RETAILER AND REFERRING ORDINANCE NO. 2097
TO THE VOTERS AT THE GENERAL ELECTION
TO BE HELD ON NOVEMBER 8, 2016

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;

WHEREAS, the Newport 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;

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. Chapter 3.15 of the Newport Municipal Code is enacted as follows:

3.15 IMPOSING A THREE PERCENT TAX ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER

A. DEFINITIONS

1. Marijuana item has the meaning given that term in Oregon Laws 2015, chapter 614, section 1.
2. Marijuana retailer means a person who sells marijuana items to a consumer in this state.
3. 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.

B. TAX IMPOSED

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

C. COLLECTION

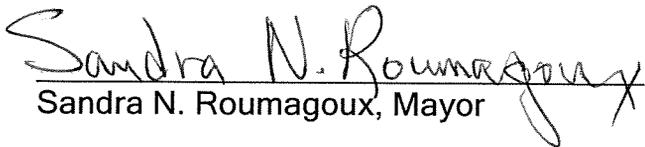
The tax shall be collected at the point of sale of a marijuana item by a marijuana retailer at the time at which the retail sale occurs and remitted by each marijuana retailer that engages in the retail sale of marijuana items.

D. REFERRAL

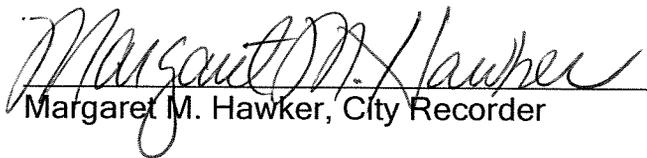
This ordinance shall be referred to the electors of the City of Newport at the next statewide general election on Tuesday, November 8, 2016.

Section 2. Effective Date. This ordinance shall be effective immediately upon certification of the election results if approved by the electors of the City of Newport at the election of November 8, 2016.

Adopted by the Newport City Council on May 16, 2016.


Sandra N. Roumagoux, Mayor

ATTEST:


Margaret M. Hawker, City Recorder

APPROVED AS TO FORM:


Steven Rich, City Attorney