

ORDINANCE No. 188215

Amend Tax on Recreational Marijuana Sales to match the State of Oregon's administrative provisions for the collection of Oregon's retail recreational marijuana tax (Ordinance; amend Code Chapter 6.07)

The City of Portland ordains:

Section 1. The Council finds:

1. On November 8, 2016, voters approved a 3% tax on retail sales of recreational marijuana in Portland. The tax funds drug and alcohol treatment, public safety investments, and support for neighborhood small businesses.
2. City Code Section 6.07.140 authorizes the City to enter into an intergovernmental agreement (IGA) with the State of Oregon as provided in ORS 305.620.
3. The Revenue Division has reviewed the terms of the State of Oregon model IGA, including the estimated administration costs that would be charged to the City, and has determined that entering into an IGA with the State would be appropriate when considering the interests of the City and the businesses that would be collecting the tax. The Revenue Division intends to enter into an IGA with the State of Oregon Department of Revenue (DOR) to collect the tax effective for sales made on or after January 1, 2017. The 3% tax would be collected along with the State's 17% tax on the same sales.
4. In order to enter into an IGA with the DOR, some administrative provisions of Code Chapter 6.07 must be amended to match the provisions that the DOR will be using to collect the tax on behalf of many local jurisdictions across Oregon. These amendments primarily relate to the due dates of payments and tax returns and the penalties and interest charges for non-compliance.

NOW, THEREFORE, the Council directs:

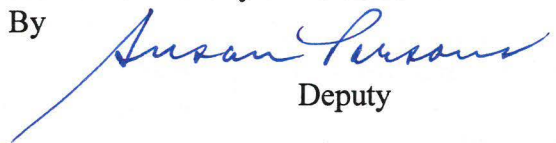
- a. City Code Chapter 6.07 is amended as set forth in the attached EXHIBIT A:

Passed by the Council: FEB 01 2017

Mayor Ted Wheeler
Prepared by: Scott Karter
Date Prepared: January 10, 2017

Mary Hull Caballero
Auditor of the City of Portland

By


Deputy

Agenda No.
ORDINANCE NO. 188215
Title

Amend Tax on Recreational Marijuana Sales to match the State of Oregon's administrative provisions for the collection of Oregon's retail recreational marijuana tax (Ordinance; amend Code Chapter 6.07)

INTRODUCED BY Commissioner/Auditor: Mayor Wheeler	CLERK USE: DATE FILED <u>JAN 18 2017</u>
COMMISSIONER APPROVAL	Mary Hull Caballero Auditor of the City of Portland
Mayor—Finance & Administration - Wheeler <i>W</i>	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Eudaly	By: <u><i>Susan Parsons</i></u> Deputy
BUREAU APPROVAL	ACTION TAKEN:
Bureau: OMF/BRFS, Revenue CAO: Tom Rinehart CFO, Bureau Head: Kenneth L. Rust Division Head: Thomas W. Lannom	JAN 25 2017 PASSED TO SECOND READING FEB 01 2017 9:30 A.M.
Prepared by: Scott Karter Date Prepared: January 10, 2017	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: required for Code Ordinances <i>Toni OK</i>	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>KAM</i>	
Council Meeting Date January 25, 2017	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Eudaly	✓	
Wheeler	✓	