

Ordinance No. _____ Passed _____, 20____

ORDINANCE NO. 1519

AN ORDINANCE TO PROHIBIT MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARIES, LICENSED UNDER OHIO LAW, FROM LOCATING AND/OR DOING BUSINESS WITHIN THE VILLAGE OF GLANDORF, OHIO

WHEREAS, with HB 523, the General Assembly established the basic framework for Ohio’s Medical Marijuana Control Program. This program is codified in R.C. Chapter 3796 and the corresponding Ohio Administrative Code Chapter; and

WHEREAS, by September 8, 2017, Ohio’s Medical Marijuana Control Program will be fully operational. By this date, all the rules governing cultivators, processors, testing laboratories, dispensaries, patients/caregivers, and physicians will be vetted fully and adopted by the appropriate Department or Board; and

WHEREAS, R.C. 3796.29 specifically provides that “the legislative authority of a municipal corporation may adopt an ordinance, or a board of township trustees may adopt a resolution, to prohibit, or limit the number of. [sic] cultivators, processors, or retail dispensaries licensed under this chapter within the municipal corporation or within the unincorporated territory of the township, respectively”; and

WHEREAS, Council for the Village of Glandorf has thought carefully about and considered Ohio’s Medical Marijuana Control Program as well as the City’s statutory ability to prohibit or limit the number of cultivators, processors and retail dispensaries within the Village; and

WHEREAS, Council for the Village of Glandorf now wants to prohibit such activity.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GLANDORF, STATE OF OHIO, A UNANIMOUS VOTE OF THE MEMBERS THERETO CONCURRING:

SECTION I. Medical Marijuana is defined by R.C. 3796.01 as “marijuana that is cultivated, processed, dispensed, tested, possessed, or used for medical purposes”.

SECTION II. Medical Marijuana cultivators, processors, and retail dispensaries, licensed under Ohio law, are hereby prohibited from locating and/or doing business within the Village of Glandorf.

SECTION III. The prohibition set forth in Section 2 does not limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

SECTION IV. Once this Ordinance takes effect, no provision, definition, regulation or use (permitted or conditional) set forth in the Village of Glandorf Zoning Code shall include, or be interpreted to include, Medical Marijuana cultivation, processing, and/or retail dispensing.

SECTION V. It is hereby found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Glandorf which resulted in such

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formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION VI. All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereto.


SECTION VII. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

ADOPTED: October 3, 2023

ATTEST:

APPROVED:


Sharon Stechschulte, Fiscal Officer


Charlie Schroeder, Mayor