

RESOLUTION NO. 20-17  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Palchov. ON THE 15<sup>th</sup>  
DAY OF May, 2017.

**A RESOLUTION BY THE CENTERVILLE CITY COUNCIL  
EXTENDING FOR A PERIOD OF UP TO ONE (1) YEAR (365  
DAYS) THE MORATORIUM ON THE GRANTING OF ANY  
PERMITS FOR ALLOWING RETAIL DISPENSARIES,  
CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA  
WITHIN THE CITY OF CENTERVILLE**

WHEREAS, the City of Centerville passed a resolution on August 29, 2016 to impose a moratorium on granting permits for allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Centerville with Resolution Number 59-16 for nine (9) months (270 Days) beginning August 29, 2016 and expiring May 26, 2017; and

WHEREAS, the purpose of the moratorium was to await the Department of Commerce adoption of rules establishing standards and procedures regarding a medical marijuana control program, including rules relating to cultivators and processors and rules for licensing of cultivators; and

WHEREAS, the extent and provisions of the Regulations is still currently unknown and will likely not be known until at least after September 2017, and it is not clear if under the Regulations a municipality will be permitted to establish local licensing or the extent of zoning regulations that will be permitted by a municipality; and

WHEREAS, City Council seeks additional time to study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana; or, alternatively, to develop and implement regulations regarding the possible location and operation of medical marijuana-related businesses within the City of Centerville, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and

WHEREAS, City staff will require additional time to review and make recommendations on zoning, prohibition and/or limitations of medical marijuana so that any necessary regulations conform to goals of the City of Centerville and help ensure the public peace, health, safety, and welfare of its citizens; and

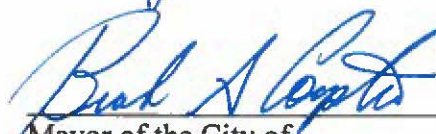
WHEREAS, the City of Centerville may desire to update its regulations in the Unified Development Ordinance or other City Ordinances regarding the zoning, prohibition and/or limitations of medical marijuana within the City since the current City guidelines do not adequately direct the permitting of such uses; and

WHEREAS, the City of Centerville seeks to extend the moratorium in order to give time for the rules to be put in place on the granting of permits for medical marijuana-related businesses in the City of Centerville and will allow City Council time to accomplish the City's goals and help ensure the public peace, health, safety, and welfare of its citizens.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

- Section 1. City Council hereby extends the moratorium for an additional one (1) year (365 days) for the issuance and processing of any permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is to allow the State time to finalize the rules and regulations for licensing cultivators, processors and retail dispensaries and to allow City staff to study the new law and rules once completed, and the related issues; and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the City of Centerville; and to prepare any necessary and related regulations in either the general municipal code or the Unified Development Ordinances.
- Section 2. Once the State rules are finalized, City staff may then recommend new regulations regarding the cultivation, processing, and retail dispensing of medical marijuana.
- Section 3. City Council hereby directs and orders that no permits for cultivators, processors, or retail dispensaries of medical marijuana shall be issued or processed by the City of Centerville during the one (1) year (365 days) moratorium.
- Section 4. Council further finds that a moratorium for one (1) year (365 days) is reasonable and will allow the City Manager, City Planner and Centerville Planning Commission to propose and initiate action to address the issues outlined herein.
- Section 5. This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS 15<sup>th</sup> day of May, 2017



Mayor of the City of  
Centerville, Ohio

ATTEST:



Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 20-17, passed by the Council of the City of Centerville, Ohio on the 15<sup>th</sup> day of May, 2017.



Clerk of the Council

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions  
Department of Law  
Scott A. Liberman  
Municipal Attorney