

RESOLUTION NO. 101-23
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bill Serr ON THE 20th
DAY OF November, 2023.

**A RESOLUTION BY THE CENTERVILLE CITY COUNCIL
IMPOSING A MORATORIUM FOR A PERIOD OF UP TO
NINE (9) MONTHS (270 DAYS) ON THE GRANTING OF ANY
PERMITS FOR ALLOWING RETAIL DISPENSARIES,
CULTIVATORS, OR PROCESSORS OF MEDICAL
MARIJUANA WITHIN THE CITY OF CENTERVILLE.**

WHEREAS, Ohio Revised Code Chapter 3796 legalizes the cultivating, processing, and dispensing of medical marijuana in the State of Ohio; and

WHEREAS, for the purpose of this Resolution, the definitions “cultivators”, “processors”, and “retail dispensaries” are given the same definition as those found in ORC Chapter 3796; and

WHEREAS, the State of Ohio has adopted rules establishing standards and procedures regarding medical marijuana including rules relating to cultivators, processors and dispensaries; and

WHEREAS, Ohio Revised Code Section 3796.29 authorizes a municipality to limit the number of, or entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Section 3796.29 in the City of Centerville; and

WHEREAS, the City of Centerville had previously passed a resolution on August 29, 2016 imposing 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, which was extended for another year on May 15, 2017, with Resolution Number 20-17, but which moratorium has since expired; and

WHEREAS, State Issue 2, was recently approved by Ohio voters, which enacted ORC Chapter 3780 legalizing adult use cannabis, allowing recreational use of marijuana in the State of Ohio; and

WHEREAS, due to these new regulations, the issue of commercial cultivating, processing, and dispensing came to City Council’s attention; and

WHEREAS, City Council seeks additional time to again 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 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

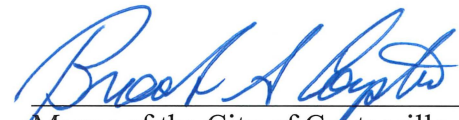
WHEREAS, the City of Centerville may desire to update its regulations in the Unified Development Ordinance or other City Ordinances regarding the zoning, prohibition and/or limitations of medical marijuana within the City since the current City guidelines do not adequately direct the permitting of such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

WHEREAS, the City of Centerville seeks 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 imposes a moratorium for an nine (9) months (270 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 City staff time to study the current law and rules, and the related issues; and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries of medical marijuana 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. 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 nine (9) month (270 days) moratorium.
- Section 3. Council further finds that a moratorium for nine (9) months (270 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 4. This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS 20th day of November, 2023



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. 101-23, passed by the Council of the City of Centerville, Ohio on the 20th day of November, 2023.



Clerk of the Council

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