

RESOLUTION NO. 76-24  
CITY OF CENTERVILLE, OHIO

12<sup>th</sup> SPONSORED BY COUNCILMEMBER Belinda Kenley ON THE  
DAY OF August, 2024.

**A RESOLUTION BY THE CENTERVILLE CITY COUNCIL  
EXTENDING THE 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 had since expired; and

WHEREAS, the City of Centerville adopted a resolution on November 20, 2023 imposing a moratorium on granting permits for allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Centerville with Resolution Number 101-23; and

WHEREAS, State Issue 2, 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 continues to come to City Council's attention; and

WHEREAS, said moratorium is set to expire on August 16, 2024; and

WHEREAS, City Council seeks additional time to further 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 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 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 continue 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 additional nine (9) month (270 days) moratorium.


Section 3. Council further finds that a moratorium for an additional 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 12<sup>th</sup> day of August, 2024.

  
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Mayor of the City of Centerville, Ohio

ATTEST:

  
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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. 76-24, passed by the Council of the City of Centerville, Ohio on the 12<sup>th</sup> day of August, 2024.

  
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Clerk of the Council

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