

RESOLUTION NO. 77-24
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Belinda Kenley ON THE
12th DAY OF August, 2024.

**A RESOLUTION BY THE CENTERVILLE CITY COUNCIL
EXTENDING THE MORATORIUM FOR A PERIOD OF UP
TO NINE MONTHS (270 DAYS) ON ADULT USE CANNABIS
OPERATORS WITHIN THE CITY OF CENTERVILLE.**

WHEREAS, State Issue 2 enacts Ohio Revised Code Chapter 3780 which legalizes the growing, processing, and selling of cannabis (marijuana) in the State of Ohio and was effective on December 7, 2023; and

WHEREAS, for the purposes of this Resolution, “adult use cannabis operator” has the same meaning as in Issue 2 and Chapter 3780 of the Ohio Revised Code, which includes cultivators, processors, and dispensaries; and

WHEREAS, Ohio Revised Code Chapter 3780 authorizes municipalities to entirely prohibit or limit the number of adult use cannabis operators in their jurisdictions; and

WHEREAS, Article 18 of the Ohio State Constitution grants authority to municipalities to exercise all powers of local self-government, including the ability to limit land use; and

WHEREAS, the City of Centerville adopted a resolution on November 20, 2023 imposing a moratorium on the cultivation, processing, and dispensing of adult use cannabis within the City of Centerville with Resolution Number 102-23; and

WHEREAS, City Council requires additional time to research the benefits and negative consequences related to adult use cannabis operators within the City of Centerville to determine whether such activities should be allowed, limited, or entirely prohibited; and

WHEREAS, City staff requires additional time to make informed recommendations to City Council regarding potential changes to the City’s Codified Ordinances or the Uniform Development Ordinances (UDO) based on City Council’s determination whether to allow, limit, or prohibit adult use cannabis operator within City limits; and

WHEREAS, an extension of the moratorium of nine (9) months on adult use cannabis operators in the City will allow City Council and staff the additional time needed to accomplish the City’s goals stated herein and will help ensure the public peace, health, safety, and welfare.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE
HEREBY RESOLVES:


- Section 1. City Council extends the moratorium an additional nine (9) months (270 days) on the cultivation, processing, and dispensing of adult use cannabis in the City of Centerville. Thus, the issuance and processing of any permits related to cultivators, processors, and retail dispensaries of marijuana in the City of Centerville is prohibited during this nine (9) month period. The purpose of this moratorium is to allow City Council and staff time to study State Issue 2 and the benefits and consequences of allowing, limiting, or prohibiting adult use cannabis operators within City limits and to prepare any necessary changes to the City's Codified Ordinances or the Unified Development Ordinance (UDO).
- Section 2. City Council seeks to limit the duration of the moratorium and instructs the City Manager and staff to review State Issue 2 and any related issues regarding the presence of adult use cannabis operators within the City. City staff shall then make recommendations regarding any potential changes to the City's Codified Ordinances or UDO related to these activities for City Council's consideration.
- Section 3. City Council hereby directs and orders that no permits for cultivators, processors, or retail dispensaries of adult use cannabis shall be issued or processed by the City of Centerville during the nine (9) month (270 days) moratorium.
- Section 4. Council further finds that a moratorium for nine (9) month (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 5. This Resolution shall take effect and be in force from and after the date of its passage.

PASSED THIS 12th day of August, 2024.



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. 77-24, passed by the Council of the City of Centerville, Ohio on the 12th day of August, 2024.



Clerk of the Council

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