

RECORD OF ORDINANCES

Ordinance No. 3777

Passed: August 27, 2024

AN ORDINANCE EXTENDING THE MORATORIUM ON THE ISSUANCE AND PROCESSING OF PERMITS FOR DISPENSARIES, CULTIVATORS OR PROCESSORS OF ADULT USE CANNABIS WITHIN THE CITY OF WEST CARROLLTON, OHIO.

WHEREAS, Ohio voters approved State Issue 2 on November 7, 2023 which enacted Ohio Revised Code Chapter 3780 authorizing the cultivation, sale and processing of adult use cannabis; and

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

WHEREAS, on December 12, 2023, City Council passed Ordinance 3763 enacting a moratorium on issuing and processing permits for dispensaries, cultivators or processors of adult use cannabis within the City to allow City staff time to review Ohio Revised Code 3780, the rules and regulations from the Division of Cannabis and any forthcoming amendments from the Ohio General Assembly in order to make a recommendation to City Council as to what impact an adult use cannabis business will have on the community; and

WHEREAS, the Division of Cannabis has not established the final rules and regulations regarding adult use operators; and

WHEREAS, the Ohio General Assembly has introduced several bills that, if enacted, would amend Chapter 3780 and therefore would then require changes to the rules and regulations as set by the Division of Cannabis; and

WHEREAS, as a result of the rules and regulations are not being completed by the Division of Cannabis and the possibility of changes to those rules from the Ohio General Assembly, an extension of the moratorium is needed to provide City staff time to review the rules once completed in order to make a recommendation to City Council on whether to limit or prohibit adult use cannabis businesses within the City of West Carrollton; and

WHEREAS, City Council has determined it to be in the best interest for the health, safety and welfare for the citizens of West Carrollton to extend the current moratorium.

NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, STATE OF OHIO, HEREBY ORDAINS:

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Section 1: That the moratorium imposed by Ordinance No. 3763 is extended through June 30, 2025 for the reasons stated in the above recital paragraphs.

Section 2: That during the moratorium City staff shall not issue or process any permits for any adult use cannabis businesses including dispensaries, cultivators and processors and no adult use cannabis operators shall locate or operate in the City of West Carrollton.

Section 3: City Council hereby directs City staff to continue to study the current and forthcoming rules from the Division of Cannabis and any subsequent amendments to Chapter 3780 in order to make a recommendation to City Council as to whether to allow, limit or prohibit adult use cannabis businesses within the City of West Carrollton.

Section 4: That it is hereby found and determined that all formal actions of Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and or any committees that required formal action were in meetings open to the public, in compliance with all legal requirements of Section 121 of the Ohio Revised Code.

Passed: August 27, 2024


Mayor

Attest: 
Clerk of Council

Effective Date: September 27, 2024

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CERTIFICATE

The undersigned, Clerk of Council of the City of West Carrollton, Ohio, hereby certifies the foregoing is a true and correct copy of Ordinance 3777, passed by said Council on the day of _____, 2024.

Clerk of Council

Dated: _____