

RECORD OF ORDINANCES

Ordinance No. 3804

Passed: June 10, 2025

AN ORDINANCE FURTHER 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, AND DECLARING AN EMERGENCY

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, on August 27, 2024 City Council passed Ordinance 3777 extending the moratorium on the issuance and processing of permits for dispensaries, cultivators or processors of adult use cannabis within the City due to the Division of Cannabis having not adopted the rules per Ohio Revised Code 3708.03 as well as potential amendments to Chapter 3708 by the Ohio General Assembly; and

WHEREAS, the Division of Cannabis final rules and regulations are still being developed, as an example effective June 5, 2025 they have increased the amount of cannabis that can be sold from 1 ounce to 2.5 ounces per day; and

WHEREAS, the Ohio General Assembly has introduced Senate Bill 56 and House Bill 160 that, if either are enacted, will amend Chapter 3780 and therefore would then require more changes to the rules and regulations as set by the Division of Cannabis; and

WHEREAS, as a result of the rules and regulations still being developed by the Division of Cannabis and the possibility of changes to those rules from the Ohio General Assembly, an additional extension of the moratorium is needed to provide City staff time to review the rules and any adopted legislative changes made to Chapter 3780, in order to make a recommendation to City Council on whether to allow, 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 further extend the current moratorium.

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

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Ordinance No. 3804

Passed: June 10, 2025

- Section 1: That the moratorium imposed by Ordinance No. 3763 and extended by Ordinance 3777 is further extended through March 30, 2026 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.
- Section 5: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety and welfare of the citizens of West Carrollton specifically to place a hold on the issuance and processing of permits to allow City Council to be provided all pertinent components of this business model including the safety and economic impact for the citizens.

Passed: June 10, 2025

Attest: Gray Moore
Clerk of Council

Richard Robert
Mayor

Effective Date: June 10, 2025

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Ordinance No. 3804

Passed: June 10, 2025

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 3804, passed by said Council on the 10 day of June, 2025.


Clerk of Council

Dated: June 11, 2025

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:

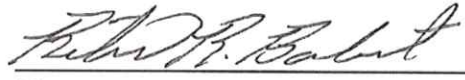
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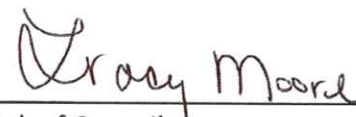
Ordinance No. 3777

Passed: August 27, 2024

- 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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Ordinance No. 3777

Passed: August 27, 2024

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: _____

RECORD OF ORDINANCES

Ordinance No. 3763

Passed: December 12, 2023

AN ORDINANCE IMPOSING A NINE MONTH MORATORIUM ON THE ISSUANCE AND PROCESSING OF PERMITS FOR DISPENSARIES, CULTIVATORS OR PROCESSORS OF ADULT USE CANNABIS WITHIN THE CITY OF WEST CARROLLTON, OHIO AND DECLARING AN EMERGENCY.

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

WHEREAS, Section 3708.03 provides that a newly created Division of Cannabis shall have 9 months to adopt rules establishing standards and procedures for the implementation of the adult use marijuana program, including licensing requirements for cultivators, processors and retailers; and

WHEREAS, members of the Ohio General Assembly have expressed an intention to amend or revise Chapter 3780 but have not yet clarified to what extent or impact any revision or amendment will have on the current Chapter as written; and

WHEREAS, Ohio Revised Code Chapter 3780 authorizes municipalities to entirely prohibit or limit the number of adult use cannabis operators; 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, City staff requires time to review all the forthcoming rules and regulations from the Division of Cannabis as well as any modifications from the Ohio General Assembly in order to make informed recommendations to City Council as to the impact of allowing, limiting or prohibiting adult use cannabis operators within City limits; 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 impose a nine (9) month moratorium on the issuance and processing of permits for the cultivation, processing, and retail dispensing of adult use cannabis to provide City staff an opportunity to study the adopted rules and any amendments to Ohio Revised Code Chapter 3780.

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

SECTION 1: City Council imposes a nine (9) month moratorium on adult use cannabis businesses including operators, cultivators, and retailers for the purpose of providing City Staff time to review Ohio Revised Code Chapter 3780, all forthcoming regulations and any amendments to Chapter 3780 in order to make a recommendation to City Council as

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Ordinance No. 3763

Passed: December 12, 2023

to the impact adult use cannabis business will have on the community and whether to allow, limit or prohibit them within the City of West Carrollton.

SECTION 2: That City Council hereby directs City staff to not issue or process any permits, applications or approvals for any cannabis business including cultivators, processors or adult use dispensaries within the municipality during the moratorium period.

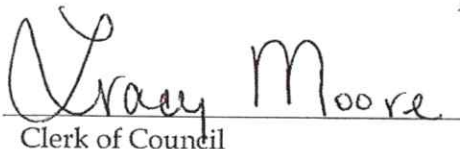
SECTION 3: City Council hereby directs City staff to review Ohio Revised Code Chapter 3780, the forthcoming rules and regulations and any subsequent amendments to the Chapter and then provide recommendations to City Council as to whether to allow, limit or prohibit adult use cannabis businesses within the City.

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 including Section 121 of the Ohio Revised Code.

SECTION 5: That this Ordinance is declared to be an emergency measure necessary to provide for the public health, safety and welfare of the citizens of West Carrollton, and therefore shall take effect immediately upon passage.

Passed: December 12, 2023


Mayor

Attest: 
Clerk of Council

Effective Date: December 12, 2023

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Ordinance No. 3763

Passed: December 12, 2023

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 3763, passed by said Council on the day of _____, 2023.

Clerk of Council

Dated: _____