

ORDINANCE NO. 2023.025

**A ORDINANCE IMPOSING A MORATORIUM ON THE CULTIVATION, PROCESSING,
AND RETAIL SALE OF ADULT USE CANNABIS WITHIN VILLAGE OF
BLANCHESTER, OHIO**

WHEREAS, on November 7, 2023, Ohioans voted to approve Issue 2, the Marijuana Legalization Initiative, which will make adult recreational marijuana use legal effective December 7, 2023.

WHEREAS, Chapter 3780 of the Ohio Revised Code establishes a Division of Cannabis Control within the Department of Commerce, which shall provide for the licensure of “adult use” cannabis cultivators and processors, cannabis testing laboratories and adult use dispensaries; and

WHEREAS, for the purposes of this Ordinance, the definitions of “cultivators,” “processors,” and “adult use dispensaries” shall be accorded the same definitions as those found in Ohio Revised Code Chapter 3780.

WHEREAS, pursuant to Section 3780.25 of the Ohio Revised Code, a village council may adopt an Ordinance, by majority vote, to prohibit, or limit the number of adult use cannabis operators within the unincorporated territory of the village; and

WHEREAS, the Council for the Village of Blanchester desires time to study whether to limit or prohibit the cultivation, processing and/or dispensing of adult use cannabis, or, alternatively, to develop and implement regulations regarding the possible location and operation of cannabis related businesses within the Village of Blanchester, including cannabis cultivators, processors and adult use dispensaries; and

WHEREAS, the Council for the Village of Blanchester believes that such a moratorium on cannabis-related business is necessary to ensure the health, safety, and welfare of its residents.

NOW THEREFORE, BE IT RESOLVED, by the Council for the Village Council of Blanchester, State of Ohio that:

SECTION 1.

Pursuant to Ohio Revised Code Section 3780.25, the Council for the Village of Blanchester hereby establishes a moratorium with respect to the authorization or establishment of any cannabis-related businesses within Village of Blanchester, including, but not limited to, cannabis-related cultivators, processors or adult use dispensaries.

SECTION 2.

That this Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3.

It is necessary to establish a moratorium before a cannabis-related business begins selling cannabis within the Village of Blanchester. Therefore, this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of Village of Blanchester.

SECTION 4.

This Ordinance shall take effect immediately, or upon the earliest date as otherwise allowed by law.

Mr. Hopkins moved the adoption and Mrs. Lewis seconded the motion and the roll being called upon its adoption the vote resulted as follows:

Councilman Brumbaugh Yea

Councilwoman Lewis Yea

Councilman Garner Yea

Councilman Parks Nay

Councilman Hopkins Yea

Councilman Gephart Yea

Adopted this 11 day of January, 2024.

John M. Carman
Mayor John M. Carman

Fiscal Officer's Certificate:

The State of Ohio, County of Clinton, ss:

I Carla Fleming Antecim Fiscal Officer of the Village of Blanchester, Clinton County, and in whose custody the Files, Journals, and Records are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing Ordinance is taken and copied from the original now on file with said Village, that the foregoing has been posted as required, has been compared by me with the said original and that the same is true and correct copy thereof.

Witness my signature, this day of January 11, 2024.

Carla Fleming Antecim
Fiscal Officer of the Village of Blanchester, Clinton County, Ohio.