

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 2024-02 Passed February 8, 2024

ORDINANCE 2024-02

AN ORDINANCE IMPOSING A MORATORIUM FOR A PERIOD OF 180 DAYS ON THE GRANTING OF ANY PERMIT ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR ANY PROCESSORS OF MARIJUANA WITHIN THE CITY OF NORTHWOOD, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio voters approved State Issue 2 on November 7, 2023 adopting proposed legislation authorizing the cultivation, sale and use of marijuana products for recreational purposes; and,

WHEREAS, pursuant to the operation of Article II, Section 1b of the Ohio Constitution, the proposed legislation now approved by Ohio voters will automatically be incorporated into the Ohio Revised Code as Sections 3780.01 through 3780.99 and become effective on December 7, 2023 with no further action required by the Ohio General Assembly (the “Act”); and,

WHEREAS, upon the passage of Issue 2, members of the Ohio General Assembly have already expressed an intention to amend the Act but have not yet clarified whether the Act will be repealed, modified, or materially altered; and,

WHEREAS, Section 3780.03 of the Act provides that a newly created “Division of Cannabis” shall 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, the Act, as currently constituted, provides the Division of Cannabis a period of nine months after December 7, 2023 to implement rules and regulations regarding the adult use marijuana program; and

WHEREAS, Council and the Mayor intend to adopt legislation that provides for the orderly implementation of adult use cannabis in the City consistent with State laws and regulations; and

WHEREAS, pursuant to the Ohio Constitution and local ordinances, City Council possesses the inherent power to enact appropriate planning, zoning, and business regulation laws that further the health, safety, welfare, comfort and peace of its citizens, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, at least until such time as regulations are adopted, the amendments to the Act are adopted and the City has had an opportunity to study the foregoing, Council has determined it to be in the best interests of the community health, safety, and welfare to impose an immediate moratorium on any cultivation, processing, or retail dispensing of marijuana for adult use business purposes in any form within the City of Northwood, except as required by the Act.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO, THAT:

SECTION 1. Except as required by the Act, the Mayor and Council hereby impose an immediate moratorium on the issuance and processing of any permits for cultivators, processors, 2023-64 132 and retail dispensaries of adult use marijuana as defined in Sections 3780.01 through 3780.99 of the Ohio Revised Code.

SECTION 2. The purpose of this moratorium is to allow the City Administration and Council to consider amendments to pertinent Codified Ordinances, including the Northwood Zoning

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Code, to prepare regulations which may be necessary, and to determine where and whether to allow, limit or prohibit cultivators, processors, and retail dispensaries in the City.

SECTION 3. Council and the Mayor hereby direct and order that no permits for cultivators, processors or retail dispensaries of adult use marijuana shall be issued or processed by the City during the moratorium, except as may be required by the Act with respect to existing dispensaries of marijuana products for medical use.

SECTION 4. The moratorium shall be in effect for a period beginning from the effective date of this Ordinance through the earlier of July 2, 2024, until changes are enacted to amend the Codified Ordinance of the City of Northwood to address these issues, or until Council approves legislation explicitly revoking this moratorium, whichever occurs first.

SECTION 5. It is found and hereby determined that all formal actions of Council concerning or relating to the passage of this ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Northwood and the State of Ohio.

SECTION 6. This ordinance shall take effect as an emergency measure because it is necessary to protect the health, safety and welfare of our citizens. This ordinance shall be in full force and effect immediately after its passage by Council.

Vote to suspend rules: For: - Against: - Abstain: -
Vote on emergency clause: For: - Against: - Abstain: -
Vote on final adoption: For: 4 Against: 3 Abstain: -

Adopted this 8 day of February, 2024 as an emergency measure.


Effective: March 8, 2024


ATTEST:


Clerk of Council


President of Council

APPROVED AS TO FORM:


City Attorney

APPROVED:

Mayor