

## RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2017-36Passed November 30, 2017

## ORDINANCE 2017-36

AMENDING CODIFIED ORDINANCE SECTIONS 1240.06 (106.1) REGARDING DEFINITIONS TO PROHIBIT THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MEDICAL MARIJUANA WITHIN THE CITY OF NORTHWOOD; AND DECLARING AN EMERGENCY.

**WHEREAS**, Substitute HB No. 523, passed by the 131<sup>st</sup> Ohio General Assembly and thereupon signed by Governor Kasich, June 9, 2016, authorized use of marijuana for medical purposes and established the medical marijuana control program, and

**WHEREAS**, the Act included the adoption of Ohio Revised Code Section 3796.29, which authorizes a municipal corporation to adopt by Ordinance restrictions, including the prohibition of cultivators, processors or retail dispensaries, within said municipal corporation, and

**WHEREAS**, the Administration of the City of Northwood has reviewed information and studies regarding medical marijuana, and

**WHEREAS**, the issue was also considered by the Northwood Planning Commission on September 11, 2017, which also recommended opposing the cultivation processors, or retail dispensing within the City of Northwood; and

**WHEREAS**, a public hearing was held before Council on November 30, 2017;

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

**SECTION 1.** That this City Council has determined it to be in the best interest of the community health, safety and welfare to prohibit any cultivation, processing or retail dispensing of marijuana for medical purposes in any form within the city.

**SECTION 2.** That the following language is to be added to Codified Ordinance Section 1240.06 and thus amending it to include the following:

**1240.06 DEFINITIONS.**

(106.1) "Medical Marijuana" has the same meaning as provided in Section 3796.01 (A)(2) of the Ohio Revised Code which is marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

(A) The cultivation, processing, or retail dispensing of medical marijuana, even under a license issued under Chapter 3796 of the Ohio Revised Code, is prohibited within the City of Northwood, Ohio.

**SECTION 3.** It is found and 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.

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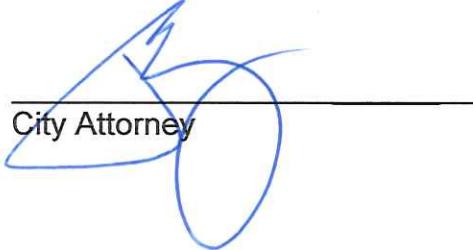
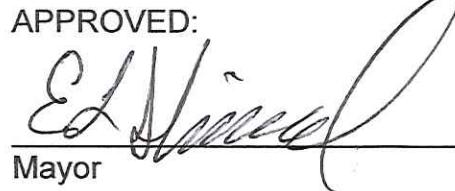
**SECTION 4.** This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Northwood, Wood County, Ohio, in order to minimize any confusion regarding the applicable definitions in the City's Planning and Zoning Code, and shall be in full force and effect from and immediately after its passage and approval by Council.

Vote to suspend rules: For: 7 Against: \_\_\_\_\_Vote on emergency clause: For: 7 Against: \_\_\_\_\_Vote on final adoption: For: 7 Against: \_\_\_\_\_ADOPTED 11/30/2017 As an emergency measure.

ATTEST:

  
Clerk of Council  
President of Council

APPROVED AS TO FORM:

  
City Attorney  
Mayor