

Ordinance CM-16-27

ORDINANCE IMPOSING MORATORIUM FOR A PERIOD OF ONE HUNDRED AND EIGHTY DAYS ON THE GRANTING OF ANY PERMIT ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE MUNICIPALITY OF WEST MILTON, OHIO

WHEREAS, the Municipality of West Milton, Ohio desires to coordinate regulations regarding the location and operation of businesses within the Municipality, including Retail dispensaries, cultivators, or processors of medical marijuana; and

WHEREAS, for the purposes of this Ordinance, a "retail dispensaries", "cultivators", and "processors" are defined in newly enacted Chapter 3796 of the Ohio Revised Code; and

WHEREAS, the State of Ohio recently enacted laws concerning medical marijuana; and

WHEREAS, House Bill 523 becomes effective on September 8, 2016; and

WHEREAS, Revised Code Section 3796.29 allows municipalities to prohibit and/or limit the location of retail dispensaries, cultivators, and processors of medical marijuana within corporate limits; and

WHEREAS, it is recommended that the Municipal Manager review and make recommendations on this issue to conform to the Municipality's goals of providing adequate regulations; and

WHEREAS, a moratorium on the granting of permits within the Municipality of West Milton will allow the Municipality time to accomplish these goals.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of West Milton, Ohio.

SECTION I: The West Milton Council seeks a moratorium on permits for the establishment of retail dispensaries, cultivators, and processors of medical marijuana to preserve the public peace, health, safety, and welfare of the citizens of the Municipality of West Milton, Ohio.

SECTION II: The West Milton Council seeks to limit the duration of the moratorium and to request the immediate investigation and review of proposed comprehensive regulations for the establishment of retail dispensaries, cultivators, and processors of medical marijuana within the one-hundred and eighty day period of the moratorium.

SECTION III: The West Milton Council hereby imposes a moratorium on permits for the establishment of retail dispensaries, cultivators, and processors of medical marijuana for a period of one hundred and eighty 180 days from the effective date of this ordinance.

SECTION IV: The West Milton Council further finds that a moratorium for one hundred and eighty days is reasonable and will allow a study for comprehensive regulations.

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SECTION V: This ordinance shall take effect immediately upon its passage.

Passed this _____ day of _____, 2016.

Fredric Francis, Mayor

ATTEST:

Linda L. Cantrell, CAP/OM
Clerk of Council

APPROVED AS TO FORM:

Leneé M. Brosh, Director of Law