

RESOLUTION NO. 2017-03

***TO IMPOSE A MORATORIUM ON
MARIJUANA CULTIVATION, PROCESSING, AND DISPENSING***

WHEREAS, Substitute HB No. 523, codified as Chapter 3796 of the Ohio Revised Code ("the Act"), which took effect on September 9, 2016, authorized the use of marijuana for medical purposes and established the medical marijuana control program; and

WHEREAS, Ohio Revised Code section 3796.29 authorizes the legislative authority of a township to adopt by resolution restrictions including the prohibition of cultivators, processors or retail dispensaries within the unincorporated territory of the township; and

WHEREAS, pursuant to the Ohio Constitution, the Trustees have the inherent power to enact planning, zoning and business regulation laws that further the health, safety, welfare, comfort and peace of its citizens, including restricting, prohibiting and regulating certain business uses; and

WHEREAS, the Act provides that the Ohio Department of Commerce, the Board of Pharmacy, and the State Medical Board shall adopt rules establishing standards and procedures for the medical marijuana control program; and

WHEREAS, to study the Townships regulations in relation to the adopted rules and the Act, The Board of Trustees have determined it to be in the best interest of the community health, safety, and welfare to impose a moratorium on any cultivation, processing, or retail dispensing of marijuana for medical purposes or the granting of permits therefore, in any form within the unincorporated area of Blendon Township;

NOW THEREFORE, BE IT ORDAINED BY THE BLENDON TOWNSHIP BOARD OF TRUSTEES:


Section 1. That, for a period of six (6) months from the date of the adoption of this Ordinance, there is hereby imposed a Moratorium on the cultivation, processing, or retail dispensing of marijuana for medical purposes within the unincorporated areas of Blendon Township.

Section 2. That, during this Moratorium, the acceptance of any applications for, or the granting of, building permits, zoning approvals, certificates of business occupancy or certificates of occupancy that would enable the cultivation, processing, distribution or sale of medical marijuana in the unincorporated area of Blendon Township is hereby prohibited.


Section 3. That, during this Moratorium, the expansion of any business in any way that would establish the cultivation, processing, distribution or sale of medical marijuana in the unincorporated areas of Blendon Township is hereby prohibited.

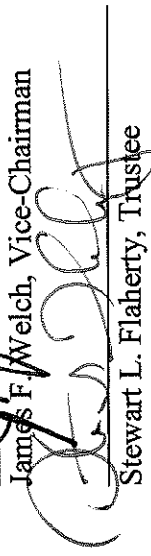
Section 4. That this six (6)-month Moratorium may be extended by the Board of Trustees, if it determines that additional time is necessary based on the objectives of this resolution.

May 31, 2017

Attest: 
Wade L. Estep, Fiscal Officer


James D. Heichel, Chairwoman


James F. Welch, Vice-Chairman


Stewart L. Flaherty, Trustee