

CITY OF CHEVIOT
STATE OF OHIO

RESOLUTION NO. 17 - 15

A RESOLUTION IMPOSING A MORATORIUM OF SIX MONTHS ON THE ISSUANCE AND PROCESSING OF ANY PERMITS ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF CHEVIOT, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Substitute House Bill 523, which is the Bill legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, became effective September 8, 2016; and

WHEREAS, For the purposes of this Resolution, the definitions of "cultivators," "processors," and "retail dispensaries" are given the same definitions as those found in Substitute House Bill 523 and Chapter 3796 of the Ohio Revised Code, which Chapter is effective September 8, 2016; and

WHEREAS, Ohio Revised Code Section 3796.29 authorizes a municipality to limit the number of, or entirely prohibit, cultivators, processors, or retail dispensaries licenses under Ohio Revised Code Section 2796.29 in the City of Cheviot; and

WHEREAS, Council of the City of Cheviot seeks time to study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana; or, alternatively, to develop and implement regulations regarding the possible location and operation of medical marijuana-related businesses within the City of Cheviot, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and

WHEREAS, The Administration will require additional time to review and make recommendations on zoning, prohibition and/or limitations of medical marijuana so that any necessary regulations conform to goals of the City of Cheviot and help ensure the public peace, health, safety, and welfare of its citizens; and

WHEREAS, A moratorium of six months on the granting of permits for medical marijuana-related businesses in the City of Cheviot will allow Council time to accomplish the city's goals and help ensure the public peace, health, safety, and welfare of its citizens.

Now therefore, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHEVIOT, HAMILTON COUNTY, STATE OF OHIO, THAT:

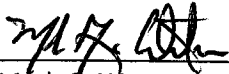
SECTION 1. The Council of the City of Cheviot hereby imposes a moratorium of six months on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is so that the Administration and Council may study the new law and the related issues and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the City of Cheviot and to prepare any necessary, related regulations.

SECTION 2. Council hereby directs and orders that no permits for cultivators, processors, or retail dispensaries of medical marijuana shall be issued or processed by the City of Cheviot during the 6-month moratorium.


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SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

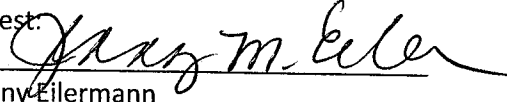
SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Cheviot for the further reason that it is immediately necessary to impose a moratorium of six months on the granting of permits for medical marijuana-related businesses in the City of Cheviot in order to allow Council time to accomplish the city's goals as stated above.


Mark C. Waters
President of Council


Aug. 15, 2017
Date passed


Samuel D. Keller
Mayor

8-15-17
Date approved

Attest: 
Jenny Eilermann
Clerk of Council

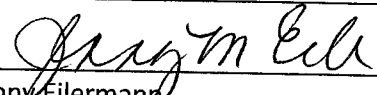
APPROVED AS TO FORM:


DEBORAH M. SLAUGHTER
LAW DIRECTOR

CERTIFICATION OF PUBLICATION

I, Jenny Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing resolution, or a succinct summary, was published in the Western Hills Press, a newspaper of general circulation in the City of Cheviot, once per week for two consecutive weeks, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

1. 8-23, 2017, and
2. 8-30, 2017.


Jenny Eilermann
Clerk of Council