

VILLAGE OF McDONALD, OHIO

ORDINANCE NO. 3297-24

AN ORDINANCE PROHIBITING WITHIN THE VILLAGE OF McDONALD ADULT USE CANNABIS OPERATORS AND ADULT USE CANNABIS PROCESSING, CULTIVATION, RETAIL DISPENSARIES OR OTHER BUSINESSES INTENDING TO PROCESS, PROVIDE, OR SELL CANNABIS AS DEFINED IN, AND REGULATED BY, SECTIONS 3780.01 THROUGH 3780.99 OF THE OHIO REVISED CODE.

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;

WHEREAS, said legislation became effective on December 7, 2023, with the enactment of Ohio Revised Code Chapter 3780, entitled “Adult Use Cannabis Control,” authorizing and regulating the recreational adult use of marijuana;

WHEREAS, Ohio Revised Code section 3780.25 specifically authorizes a municipality to prohibit adult use cannabis operators within the corporate limits of the municipality;

WHEREAS, pursuant to Ohio Revised Code section 3780.01(A)(2), “adult use cannabis operator” is defined as a level I, level II, and level III adult use cultivator, an adult use processor, and an adult use dispensary;

WHEREAS, pursuant to Ohio Revised Code section 3796.29, on April 4, 2017, Council previously passed Ordinance No. 3205-17 prohibiting the cultivation, processing, and/or retail dispensing of medical marijuana within the Village of McDonald;

WHEREAS, Council now desires to also prohibit adult use cannabis operators within the Village of McDonald, finding that the prohibition is necessary and proper to protect the health, safety and public welfare of the residents of the Village.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF McDONALD, OHIO, that:

SECTION I: Pursuant to Ohio Revised Code section 3780.25, the Village of McDonald hereby prohibits adult use cannabis operators and adult use cannabis processing, cultivation, retail dispensaries or other businesses intending to process, provide, or sell cannabis as defined in, and regulated by, sections 3780.01 through 3780.99 of the Ohio Revised Code.

SECTION II: The passage of this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings in accordance with the provisions of Ohio Revised Code section 121.22.

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SECTION III: This Ordinance shall be in full legal force and effect from the earliest period allowed by law.

Passed in Council this 4th day of September, 2024.

Mayor

Attest to:

Fiscal Officer