

ORDINANCE 2017-138

IMPOSING A MORATORIUM FOR A PERIOD OF 180 DAYS ON THE GRANTING OF ANY PERMIT ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF MASON, OHIO AND DECLARING AN EMERGENCY

WHEREAS, the City of Mason, Ohio desires to coordinate regulations regarding the location and operation of businesses within the City, including retail dispensaries, cultivators, or processors of medical marijuana; and

WHEREAS, for the purposes of this Ordinance, “retail dispensaries,” “cultivators,” and “processors” have the same meaning as 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 became effective on September 8, 2016; and

WHEREAS, Ohio 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 City Administration review and make recommendations on the issue to conform to the City’s goal of providing adequate regulations to ensure the public peace, health, safety and welfare of its citizens; and

WHEREAS, a moratorium on the granting of permits within the City of Mason will allow the City time to accomplish these goals.

NOW, THEREFORE, be it resolved by the Council of the City of Mason, Ohio, six members elected thereto concurring:

Section 1. That Mason City 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 Mason, Ohio.

Section 2. That Mason City Council seeks to limit the duration of the moratorium and to request immediate investigation and review of proposed comprehensive regulations on the establishment of retail dispensaries, cultivators, and processors of medical marijuana within the 180 day period of the moratorium.

Section 3. That Mason City Council hereby imposes a moratorium on permits for the establishment of retail dispensaries, cultivators, and processors of medical marijuana for a period of 180 days from the effective date of this Ordinance and directs that no permits shall be issued for these facilities during the 180 day period of the moratorium.

Section 4. That Mason City Council further finds that a moratorium for 180 days is reasonable and will allow a study for comprehensive regulations.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare and shall be effective immediately upon its adoption. The reason for said declaration of emergency is the need to implement the moratorium at the earliest possible date.

Dated this 23rd day of October, 2017.

Attest:

Vice Mayor

Clerk of Council

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