

## **RESOLUTION 2021 – 18**

### **EXPRESSING COUNCIL’S POSITION IN OPPOSITION TO THE LEGALIZATION OF RECREATIONAL MARIJUANA**

**WHEREAS**, in 1970, The Controlled Substances Act was approved by the Federal Government, which criminalized the possession and sale of marijuana; and,

**WHEREAS**, in 2015, Ohio voters defeated Issue 3 also known as the Ohio Marijuana Legalization Initiative with 67% of City of Mason voters expressing opposition to the legalization of limited sale and use of marijuana and allowing facilities to have commercial rights to grow marijuana; and

**WHEREAS**, in late 2017, the State of Ohio House Bill 523 was signed into law by Governor Kasich which established the legislation for the Ohio Medical Marijuana Control Program to regulate and issue licenses to cultivate, process and dispense medical marijuana in the State of Ohio, contrary to Federal Law; and,

**WHEREAS**, House Bill 523 provided local discretion to permit or prohibit medical marijuana cultivators, processors and retail dispensaries through section 3796.29 of the Ohio Revised Code; and,

**WHEREAS**, on October 23, 2017, Mason City Council passed a 180-day moratorium on granting any permits related to the establishment of medical marijuana cultivators, processors and retail dispensaries within the City of Mason; and,

**WHEREAS**, on November 14, 2017, the City of Mason Planning Commission considered an amendment to the Zoning Code that would prohibit the establishment of medical marijuana cultivators, processors and retail dispensaries within the corporate limits of the City. After holding a public hearing, Planning Commission recommended adopting zoning language that prohibits the establishment of medical marijuana facilities in the City of Mason; and,

**WHEREAS**, on January 22, 2018, Mason City Council considered an ordinance, with recommendation from Mason’s Planning Commission, that would prohibit the establishment of medical marijuana cultivators, processors and retail dispensaries within the City of Mason. After holding a public hearing, Mason City Council voted to adopt legislation to amend the zoning code and prohibit the establishment of medical marijuana facilities in the City of Mason; and,

**WHEREAS**, Mason City Council reaffirms its commitment to maintain its comprehensive regulations prohibiting cultivation, processing and retail dispensaries consistent with its authority to do so under State law as adopted by Ordinance 2017 – 139; and

**WHEREAS**, Mason City Council is aware of pending legislation introduced in the 134<sup>th</sup> General Assembly seeking to legalize recreational marijuana in the State of Ohio; and,

**WHEREAS**, Mason City Council is committed to the position that the legalization of recreational marijuana is not in the best interest of the Mason community, its residents and businesses; and,

**WHEREAS**, Mason City Council stands firm in the belief that the legalization of recreational marijuana, contrary to Federal law, is not in the best interest of the State of Ohio, its' residents and businesses and encourages the State of Ohio Legislators to not permit the legalization of recreational marijuana.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Mason, Ohio, that six members elected thereto concurring:

Section 1. That the Council of the City of Mason strongly discourages any attempt to legalize recreational marijuana.

Section 2. That the Clerk of Council is hereby directed to send certified copies of this Resolution to the appropriate State Representative State Senator representing the City of Mason in order to make this position known.

Section 3. That this Resolution shall be in force and become effective from and after the earliest period allowed by law.

Passed this 13<sup>th</sup> day of September, 2021.

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Mayor

Attest:

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Clerk of Council

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