

RESOLUTION 24-29, 2024
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

**AMENDING RESOLUTION 24-27 LIMITING ADULT-USE MARIJUANA DISPENSARIES,
PROHIBITING ADULT-USE MARIJUANA PROCESSORS AND CULTIVATORS, DISPENSING
WITH THE SECOND READING, AND DECLARING AN EMERGENCY**

WHEREAS, the Columbia Township Board of Trustees wants to amend Resolution 24-27 Limiting Adult-Use Dispensaries, adopted July 17, 2024, to increase the number of Adult-Use Cannabis Dispensaries to two from one; and

WHEREAS, for **Medical Marijuana**, on June 8, 2016, the Ohio General Assembly adopted Sub. H.B. 523, legalizing the cultivating, processing, and retail dispensing of medical marijuana, which became effective September 8, 2016; and the definitions of medical marijuana "cultivators," "processors," and "retail dispensaries" are set forth in Chapter 3796 of the Ohio Revised Code, effective September 8, 2016; and

WHEREAS, Ohio Revised Code Sections 3796.29 and 519.21 authorize a township to adopt a resolution, prohibiting or limiting the number of, medical marijuana cultivators, processors, or retail dispensaries, licensed under Chapter 3796 within the unincorporated territory of the township, as well as regulating their locations; and

WHEREAS, under Ohio Revised Code, home rule townships, like Columbia Township, may enact resolutions in the interest of public health, welfare, and safety of citizens of the Township; and

WHEREAS, on June 11, 2018, the Columbia Township Board of Trustees passed Res. 18-16 (amending Res.17-36 passed November 14, 2017) prohibiting marijuana cultivation and processing in the Township and limiting the number of retail dispensaries that may operate to two and only at locations in the Ridge & Highland I-71 Interchange Business District in the Township as shown on the attached Exhibit; and

WHEREAS, for **Adult-Use Cannabis or Recreational Marijuana**, on December 7, 2023, the general provisions of Ohio Revised Code Section 3780 went into effect after Ohio voters passed Issue 2 on November 5, 2023, legalizing the cultivating, processing, and retail dispensing of adult-use recreational marijuana in the State of Ohio; and

WHEREAS, for the purposes of this Resolution, the definitions of adult-use "cultivators," "processors," and "retail dispensaries" are set forth in Chapter 3780 of the Ohio Revised Code, effective December 7, 2023; and

WHEREAS, the Columbia Township Board of Trustees wishes to prohibit Adult-Use Marijuana cultivation and marijuana processing in the Township and to limit the number of Adult-Use dispensaries that may operate to two and only at the locations in the Ridge and Highland I-71 Interchange Business District in the Township unincorporated area shown on the attached Exhibit; and

RESOLUTION 24-29, 2024
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES, COLUMBIA TOWNSHIP:

SECTION 1. That pursuant to its limited home-rule powers and under Ohio Revised Code Chapter 3780.25, Adult-Use Marijuana processing and cultivation are not permitted in the Township.

SECTION 2. That pursuant to its limited home-rule powers and under R.C. 3780.25, there shall be no more than two Adult-Use Marijuana dispensaries permitted in the Township. The dispensaries may only locate at the locations identified in the attached Exhibit I.

SECTION 3. That this Resolution does not prohibit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

SECTION 4. That this Resolution is an emergency, necessary for the immediate preservation of the public peace, health, safety, and welfare and shall take effect immediately, the reason for the emergency being the need to limit the Township to two Adult-Use Marijuana dispensaries to be operated at the locations identified in Exhibit A and to reaffirm that marijuana cultivation and processing are not permitted in the Township as soon as possible.

Motion to accept Resolution made by: MR. KUBICKI

Seconded by: MR. BROKAMP

VOTE:

TRUSTEE	Voting	Signature	Date
David Kubicki, President	<u>yes</u>	<u>[Signature]</u>	07-24-2024
Brian Lamar, Vice-President	<u>yes</u>	<u>[Signature]</u>	07-24-2024
Steve Brokamp, Trustee	<u>Yes</u>	<u>[Signature]</u>	07-24-2024
ATTEST:		<u>[Signature]</u>	07-24-2024
		Caroline Heekin, Fiscal Officer	

APPROVED as to form: _____
Township Law Director

RESOLUTION 24-29, 2024
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

Exhibit A

