

RESOLUTION NO. 2017 - 47

A RESOLUTION INITIATING A CHANGE TO THE TEXT OF THE SYCAMORE TOWNSHIP ZONING RESOLUTION TO PROHIBIT MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARY ESTABLISHMENTS LICENSED UNDER OHIO REVISED CODE CHAPTER 3796 WITHIN THE UNINCORPORATED TERRITORY OF SYCAMORE TOWNSHIP

WHEREAS, the Ohio legislature has adopted Chapter 3796 entitled Medical Marijuana Control Program; and

WHEREAS, Ohio Revised Code Section 3796.29 provides that a board of township trustees may adopt a resolution to prohibit, or limit the number of, cultivators, processors, or retail dispensaries licensed under Chapter 3796 within the unincorporated territory of the township; and

WHEREAS, the Board of Township Trustees of Sycamore Township desires to prohibit the cultivation, processing, or retail dispensing of medical marijuana, except for in-patient dispensing of medical marijuana by a hospital, within the unincorporated territory of Sycamore Township; and

WHEREAS, the Board of Township Trustees wishes to initiate an amendment to the Sycamore Township Zoning Resolution to prohibit the cultivation, processing, or retail dispensing of medical marijuana, except for in-patient dispensing of medical marijuana by a hospital, within the unincorporated territory of Sycamore Township;

NOW THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Sycamore Township, State of Ohio:

SECTION 1. The Board hereby determines to initiate an amendment to the Sycamore Township Zoning Resolution to prohibit the cultivation, processing, or retail dispensing of medical marijuana within the unincorporated territory of Sycamore Township by adding a new Sections 2-3 and _____ to the Sycamore Township Zoning Resolution to read as follows:

“Section 2-3

DEFINITIONS

“Marijuana” means marihuana as defined in Ohio Revised Code Section 3719.01.

“Medical marijuana” means marijuana that is cultivated, processed, dispensed, tested, possessed, or used, for a medical purpose, regardless of whether such marijuana is, or is not, in a form or intended for incorporation into a form permitted under Ohio Revised Code Section 3796.06.

“Medical marijuana-related business or home occupation” means a business or home occupation use, involving in whole or in part, the cultivation, processing, distribution, and/or wholesale or retail sale of medical marijuana on the premises. This definition shall specifically include, but is not limited to, dispensaries of medical marijuana; facilities for the cultivation, packing, transportation, processing, storage, and/or sale of medical marijuana; and bakeries or kitchens producing edible forms of medical marijuana or products containing the same

Section _____

PROHIBITION ON MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSORY ESTABLISHMENTS

The cultivation, processing, or retail dispensing of medical marijuana, even under a license issued under Chapter 3796 of the Ohio Revised Code, is prohibited within unincorporated territory of Sycamore Township.”

This Section shall not apply to the in-patient dispensing of medical marijuana by a licensed hospital.”

SECTION 2.

The Trustees of Sycamore Township upon at least a majority vote do hereby dispense with any requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

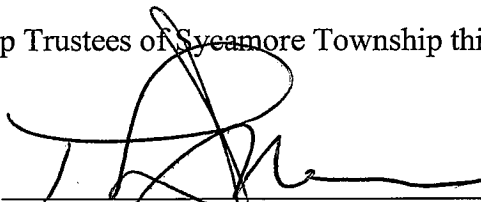
SECTION 3.

This resolution shall take effect on the earliest date allowed by law.

VOTE RECORD:

Mr. Bishop AYE Mr. Connor AYE Mr. Weidman AYE

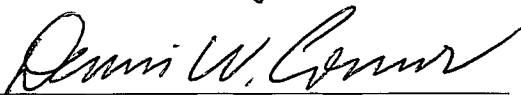
Passed at a meeting of the Board of Township Trustees of Sycamore Township this 2nd day of May, 2017.



Thomas J. Weidman, President




Cliff W. Bishop, Vice President



Dennis W. Connor, Trustee

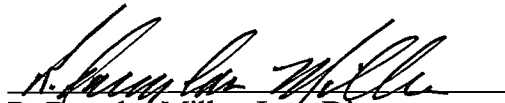
AUTHENTICATION

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Sycamore Township this 2nd day of May, 2017.



Robert C. Porter III, Fiscal Officer
Sycamore Township, Ohio

APPROVED AS TO FORM:


R. Douglas Miller, Law Director

Localgovernment/Sycamore/Resolutions/2017/ZoningAmendmentMedicalMarijuanaBan