

CITY OF CLAYTON, OHIO

RESOLUTION NO. R – 09 – 24 - 48

A RESOLUTION EXTENDING MORATORIUM ON THE ISSUING AND PROCESSING OF PERMITS ALLOWING RETAIL DISPENSERIES, CULTIVATORS, OR PROCESSORS OF ADULT USE MARIJUANA WITHIN THE CITY OF CLAYTON, OHIO

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; and,

WHEREAS, pursuant to the operation of Article II, Section 1b of the Ohio Constitution, the proposed legislation approved by Ohio voters has been incorporated into the Ohio Revised Code as Sections 3780.01 through 3780.99; and

WHEREAS, pursuant to the Ohio Constitution and local ordinances, City Council possesses the inherent power to enact appropriate planning, zoning, and business regulation laws that further the health, safety, welfare, comfort and peace of its citizens, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, via adoption of Resolution No. R-12-23-72 on December 18, 2023, and Resolution No. R-05-24-31 on May 16, 2024, Council enacted an immediate moratorium on the issuing and processing of permits for retail dispensaries, cultivators, or processors of adult use marijuana to afford City staff time to make informed recommendations to Council regarding potential changes to the City’s Codified Ordinances based on Council’s determination whether to allow, limit, or prohibit adult use cannabis operators within the City of Clayton; and

WHEREAS, Resolution No. R-05-24-31 provides, “The moratorium shall be in immediate effect and will expire on September 15, 2024”; and

WHEREAS, Council desires to extend the aforementioned moratorium in order to allow Council and staff additional time to accomplish the City’s goals stated herein and will help ensure the public peace, health, safety, and welfare via presentation of the issue of adult use cannabis to the planning commission for recommendation to Council for further action.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

Section 1: Council hereby extends and imposes an immediate moratorium on the issuance and processing of any permits for operators, cultivators, processors, and retail dispensaries of adult use marijuana as defined in Sections 3780.01 through 3780.99 of the Ohio Revised Code.

Section 2: The purpose of this moratorium is to allow additional time for the City Administration and Council to consider amendments to pertinent Codified Ordinances, including

the Clayton Zoning Code, to prepare regulations which may be necessary, and to determine where and whether to allow, limit, or prohibit cultivators, processors, and retail dispensaries in the City.

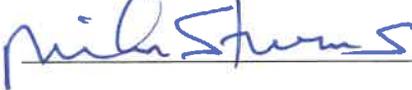
Section 3. Council hereby directs and orders that no permits for cultivators, processors or retail dispensaries of adult use marijuana shall be issued or processed by the City during the moratorium.

Section 4. The moratorium shall be in immediate effect and will expire on September 5, 2025.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

ADOPTED BY COUNCIL ON SEPTEMBER 5, 2024.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:

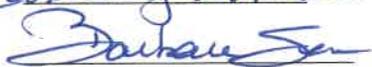


Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Date of publication

Eden Register Herald *September 11, 2024*


CLERK