

RESOLUTION NO 18-16, 2018
COLUMBIA TOWNSHIP, HAMILTON COUNTY, OHIO

AMENDING RESOLUTION 17-36: MEDICAL MARIJUANA

WHEREAS, on June 8, 2016, the Ohio General Assembly adopted Sub. H.B. 523, legalizing the cultivating, processing, and retail dispensing of medical marijuana in the State of Ohio, which became effective September 8, 2016; and

WHEREAS, for the purposes of this Resolution, the definitions of "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 Section 3796.29 and Ohio Revised Code Section 519.21 authorize a township to adopt a resolution, prohibiting or limiting the number of, cultivators, processors, or retail dispensaries, licensed under Chapter 3796 within the unincorporated territory of the township, as well as regulating their location; and

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

WHEREAS, on November 14, 2017, the Columbia Township Board of Trustees passed Resolution 17-36 prohibiting marijuana cultivation and processing in the Township and specifically limiting the number of retail dispensaries to one and its location in the Township to property located in the unincorporated area depicted in the attached Exhibit; and

WHEREAS, the Columbia Township Board of Trustees has negotiated with entities who may be awarded licenses to operate retail dispensaries in the Township at the location in the attached Exhibit that any such entity will pay the Township at least 2.5% of the dispensary's annual gross sales revenue; and

WHEREAS, the Columbia Township Board of Trustees wishes to amend the number of retail dispensaries permitted in the location identified in Resolution 17-36, as depicted in the attached Exhibit to allow up to two such retail dispensaries to operate in the permitted location and to reaffirm that marijuana processing and cultivation are not permitted in the Township.

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

SECTION 1. That pursuant to its powers under Ohio Revised Code Chapter 3796 and Ohio Revised Code Section 519.21, marijuana processing and cultivation are not permitted in the Township.

SECTION 2. That pursuant to its powers under Ohio Revised Code Chapter 3796 and Ohio Revised Code Section 519.21, there shall be no more than two marijuana retail dispensaries permitted in the Township. The dispensaries may only be located in the unincorporated area depicted 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 amend Resolution 17-36 to allow up to two retail dispensaries to be operated in the area depicted in Exhibit I 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./Mrs. KUBICKI

Seconded by: Mr./Mrs. HUGHES

VOTE:

TRUSTEE	Voting	Signature	Date
David Kubicki, President	<u>YES</u>	<u>[Signature]</u>	<u>6/12/18</u>
Susan Hughes, Vice-President	<u>YES</u>	<u>Susan Hughes</u>	<u>6/12/18</u>
Chris Kritikos, Trustee	<u>YES</u>	<u>[Signature]</u>	<u>6/12/18</u>
ATTEST:		<u>Caroline B. Heekin</u>	<u>6/12/18</u>
		Caroline Heekin, Fiscal Officer	

APPROVED as to form:

Township Legal Counsel

