

ORDINANCE NO. 2024 - 09

ORDINANCE REPEALING AN ORDINANCE IMPOSING A MORATORIUM OF NINE MONTHS ON ADULT USE CANNIBIS OPERATORS WITHIN THE VILLAGE OF LEWISBURG AND DECLARING AN EMERGENCY.

Whereas, State Issue 2 enacts Ohio Revised Code Chapter 3780 which legalizes the growing, processing, and selling of cannabis (marijuana) for adult use in the State of Ohio and which became effective December 7th, 2023; and

Whereas, for the purpose of this Ordinance “adult use cannabis operator” has the same meaning as in State Issue 2 and Chapter 3780 of the Ohio Revised Code; and

Whereas, Ohio Revised Code Chapter 3780 authorizes municipalities to entirely prohibit or limit the number of adult cannabis operators in their respective jurisdiction; and

Whereas, Article 18 of the Ohio Constitution grants authority to municipalities to exercise all powers of local self-government, including the ability to limit land use; and

Whereas, the Village Council passed an Ordinance on December 7, 2023, establishing a moratorium of nine months prohibiting all cannabis operators from operating, locating or otherwise to engage in business in the Village of Lewisburg; and

Whereas, the State of Ohio Department of Commerce, Division of Cannabis Control is allocating licenses based in part upon available locations now; and

Whereas, the Village Council desires to remove the moratorium and place the issue before the Village electorate at the November 5th, 2024, general election; and


Whereas, a removal of the moratorium on adult use cannabis operators in the Village will allow the matter to come before the Electorate for their determination and to protect the health, safety and welfare of the citizens and help ensure the public peace, health, safety, and welfare.

NOW THEREFORE BE IT ORDAINED by the Village of Lewisburg Council that:

Section 1. Village Council repeals, vacates, removes, and holds for naught the moratorium of nine (9) month on adult use cannabis operators in the Village of Lewisburg passed December 7th, 2023, subject to the will of the electorate to decide the matter at the November 5th, 2024, General Election.

Section 2. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the citizens of the Village of Lewisburg and to allow the issue to be decided by the Electorate at the General Election. Therefore, this Ordinance shall become effective immediately upon its adoption.

Dated: July 18, 2024



Mayor

Attest: 

Clerk of Council