

	Yes	No	
Emergency	_____	_____	
First Reading	<u>5</u>	<u>1</u>	(S. Stiriz)
Second Reading	<u>5</u>	<u>1</u>	(S. Stiriz)
Third Reading	<u>5</u>	<u>1</u>	(S. Stiriz)
Suspension	_____	_____	

ORDINANCE 2017-5

AN ORDINANCE AMENDING SECTION 1114 OF THE CODIFIED ORDINANCES OF THE CITY OF WAUSEON TO ADD A NEW SECTION 1114.11 TITLED “MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARIES”

WHEREAS, on June 8, 2016 the Ohio General Assembly adopted and the Governor of the State of Ohio signed into law 131 Sub. H.B. 523 with an effective date of September 8, 2016; and

WHEREAS, 131 Sub. H.B. 523 authorizes the legislative authority of a municipal corporation or board of township trustees to adopt regulations to prohibit or limit the number of retail medical marijuana dispensaries; and prohibits a cultivator, processor, retail dispensary or laboratory from being located or relocated within 500 feet of a school, church, public library, public playground or public park; and

WHEREAS, marijuana (cannabis) is listed by the U.S. Drug Enforcement Administration as a Schedule I drug with “no currently accepted medical use and high potential for abuse” as of the date this ordinance was introduced; and

WHEREAS, City Council, given the fact that marijuana (cannabis) remains a Schedule I drug, has determined that the only prudent course is to prohibit such businesses and trades; and

WHEREAS, City Council finds that prohibiting medical marijuana cultivators, processors and retail dispensers within the City of Wauseon is necessary and proper to protect the health, safety, welfare, comfort and peace of the citizens of the City of Wauseon, including restricting areas within the City of Wauseon used for such businesses and trades;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Wauseon, Fulton County, Ohio, as follows:

Section 1.

That section 1114 of the Codified Ordinances of the City of Wauseon be amended to provide a new Section 1114.11, as follows:

1114.11 MEDICAL MARIJUANA CULTIVATORS, PROCESSORS AND RETAIL DISPENSARIES.

(a) The term "medical marijuana" shall have the same meaning as in Section 3769.01(A) of the Ohio Revised Code, effective September 8, 2016.

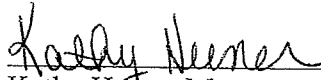
(b) No person shall open, establish or operate any business or commercial enterprise of any kind as a cultivator, processor, or retail dispenser of medical marijuana within the corporate limits of the City.

(c) No zoning clearance, permit, or other administrative approval shall be approved or issued by any administrative official of the City, nor shall any variance be approved or granted, to any person, business, or other applicant desiring or intending to operate a business or commercial enterprise engaged as a cultivator, processor, or retail dispenser of medical marijuana within the corporate limits of the City.

(d) Any use or condition caused or permitted to exist in violation of any of the provisions of this Section 1114.11 shall be and hereby is declared to be a public nuisance and may be abated by the City.

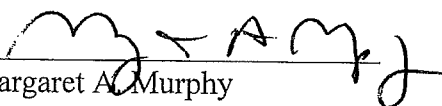
Passed: July 17, 2017

Takes effect: August 16, 2017



Kathy Huher, Mayor


Jeff Stutz, President of Council

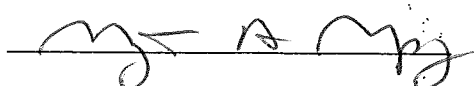
Attest:


Margaret A. Murphy
Clerk of Council

Approved as to form:


Thomas A. McWatters III
City Law Director

I, Margaret A. Murphy, Clerk of Council, for the City of Wauseon do hereby certify that this is a true and accurate copy of Ordinance 2017-5 passed on August 16, 2017.


Margaret A. Murphy, Clerk of Council