

## ORDINANCE NO. 24 -

BY

AN ORDINANCE PROHIBITING ADULT USE CANNABIS PROCESSING, DISPENSING, LABORATORIES, CULTIVATION AREAS AND CULTIVATION FACILITIES AND DECLARING AN EMERGENCY.

WHEREAS, on November 7, 2023, voters in Ohio approved State Issue 2, which enacted new Chapter 3780 of the Ohio Revised Code, effective December 7, 2023; and

WHEREAS, R.C. 3780 authorizes and regulates recreational adult use cannabis operators permitted under Chapter 3780 in the State of Ohio; and

WHEREAS, R.C. 3780.25 authorizes a municipality to prohibit adult use cannabis operators within the corporate limits of the municipality; and

WHEREAS, pursuant to R.C. 3780.01(A)(2), “adult use cannabis operator” means a Level I adult use cultivator, a Level II adult use cultivator, a Level III adult use cultivator, and adult use processor and an adult use dispensary; and

WHEREAS, this Council previously prohibited medical cannabis facilities; and

WHEREAS, Council finds that prohibiting adult use cannabis operators within the Village of Lexington is necessary and proper to protect the health, safety, welfare, comfort, and peace of the citizens of the Village of Lexington; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LEXINGTON, STATE OF OHIO:

SECTION 1. THAT Section 513.151 of the Codified Ordinances of the Village of Lexington be, and the same is hereby enacted, as set forth in Exhibit A attached hereto and made a part hereof.

SECTION 2. THAT it is hereby determined that this Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of this Village and for the further reason that Chapter 3780 of the Ohio Revised Code became effective on December 7, 2023, and shall therefore go into immediate effect provided it receives a two-thirds (2/3) vote of all members elected to this Council, otherwise it shall go into effect in thirty (30) days if passed by a majority vote of Council.

DATE: \_\_\_\_\_

Aye \_\_\_\_\_ Nay \_\_\_\_\_ Abstain \_\_\_\_\_

\_\_\_\_\_  
Robert Jarvis, Mayor

\_\_\_\_\_  
Brenda J. Wilson  
Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
John D. Studenmund, Law Director

CLERK OF COUNCIL CERTIFICATE

I, Brenda J. Wilson, the duly appointed Clerk of Council of the Village of Lexington, Ohio, do hereby certify that copies of this Ordinance were duly posted for at least fifteen (15) days in at least five (5) places within this Village in accordance with Section 4.14 of the Village Charter.

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Brenda J. Wilson  
Clerk of Council