
**ORDINANCE PROHIBITING ADULT USE CANNABIS OPERATORS
WITHIN THE VILLAGE OF LUCAS AND DECLARING AN EMERGENCY**

WHEREAS, on November 7, 2023, voters in Ohio approved State Issue 2, which enacts new Chapter 3780 of the Ohio Revised Code, effective thirty days from the date of the election; 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, an adult use processor, and an adult use dispensary; and

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

WHEREAS, this Ordinance should be declared an emergency measure necessary for the immediate preservation of the health, safety, and public welfare of the Village of Lucas because the Chapter 3780 went into effect on December 7, 2023, and the Ohio Department of Commerce and the Ohio General Assembly are in the process of adopting rules and regulations pertaining to adult use cannabis operators.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LUCAS, OHIO AS FOLLOWS:

SECTION 1. The term “adult use cannabis operator” shall have the same meaning as in Section 3780.01(A)(2) of the Ohio Revised Code.

SECTION 2. No person or entity licensed as an adult use cannabis operator under Section 3780 of the Ohio Revised Code shall open, establish, or operate any business or commercial enterprise of any kind within the Village of Lucas.

SECTION 3. No zoning permit, or other administrative approval shall be approved or issued by any administrative official of the Village nor shall any variance be approved or granted to any person, entity or other applicant desiring or intending to operate a business or commercial enterprise as an adult use cannabis operator within the Village.

SECTION 4. Any use or condition caused or permitted to exist in violation of any of the provisions of this Ordinance shall be and hereby is declared to be a public nuisance and may be enjoined and abated by the Village.

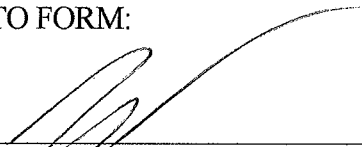
SECTION 5. Council finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an opening meeting of Council and that all deliberations of Council that resulted in formal actions were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

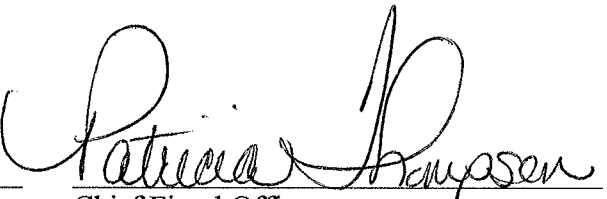
SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Lucas, the immediate emergency being that the Ohio Department of Commerce is about to adopt rules governing adult use cannabis operators, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: May 21, 2024


Mayor

APPROVED AS
TO FORM:


Joseph T. Olecki, Village Solicitor


Chief Fiscal Officer