

BOARD OF TOWNSHIP TRUSTEES OF Montgomery TOWNSHIP

A RESOLUTION TO PROHIBIT ADULT USE CANNABIS OPERATORS AND MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARIES WITHIN THE UNINCORPORATED AREA OF Montgomery TOWNSHIP

The Board of Township Trustees of Montgomery Township met on Dec 6th, 2023, with the following members present:

Josh Boley
Steve Uhlir
Earl Roth

Trustee Steve Uhlir moved that the following resolution be adopted:

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, Chapter 3780 authorizes and regulates recreational adult use cannabis in the state of Ohio; and

WHEREAS, R.C. 3780.25 authorizes townships to prohibit or limit the number of adult use cannabis operators (as defined in R.C. 3780.01) within the unincorporated area of the township; and

WHEREAS, Medical marijuana is regulated in Ohio by Chapter 3796 of the Ohio Revised Code; and

WHEREAS, R.C. 3796.29 similarly authorizes townships to prohibit or limit the number of marijuana cultivators, processors, or retail dispensaries licensed under Chapter 3796 within the unincorporated area of the township; and

WHEREAS, the board of township trustees finds it to be in the best interest of the township to prohibit adult use cannabis operators licensed under Chapter 3780, as well as cultivators, processors, and retail dispensaries licensed under Chapter 3796, within the unincorporated area of the township;

Now, therefore, be it RESOLVED, as follows:

- 1) All terms used in this resolution shall be defined in the same manner as R.C. Chapter 3796, as it pertains to medical marijuana, and R.C. Chapter 3780, as it pertains to adult use cannabis. All terms used in this resolution but not defined in those chapters shall be construed, for purposes of this resolution, in a manner to be consistent with the use of such terms in both chapters.

- 2) Adult use cannabis operators, as well as cultivators, processors, and retail dispensaries of medical marijuana are hereby prohibited from operating within the unincorporated area of Northmont Township.
- 3) It is the intent of the Board of Township Trustees to prohibit the operations described in Section 2 above to the maximum extent permitted by R.C. 3780.25, R.C. 3796.29, and any other applicable provisions of state law. This resolution shall be construed in a manner that gives maximum effect to that intent.

Trustee John Boley seconded the motion, and the roll call vote proceeded as follows:

Robert J. Smith
MS. Bl
SP. R.
Dec 6, 2023
12/6/23

Adopted this Dec 6th day of December, 2023.

 Township Fiscal Officer

