

Board of Trustees

Canaan Township, Morrow County

An amended ***Resolution*** to prohibit adult use cannabis operators and medical marijuana cultivators, processors, and retail dispensaries within the unincorporated area of Canaan Township, Morrow County, Ohio and addressing the use of adult use cannabis and medical marijuana in the workplace.

Date: December 29, 2023

Resolution Number: 12-29-2023-2

Motion by Trustee: Matthew Carwell

Second by Trustee: John Bayles

The ***Board of Trustees*** of Canaan Township, in Morrow County, Ohio met in Regular session on the 29th day of December 2023, at the office of Canaan Township, 2170 State Route 95, with the following members present:

Tyler Levering

John Bayles

Matthew Carwell

Whereas, the Canaan Township Board of Trustees has the authority to establish and revise the Medical Marijuana Policy; and

Whereas, the Canaan Township Board of Trustees wish to change the name for the Medical Marijuana Policy to Adult Use Cannabis and Medical Marijuana Policy; and

Whereas, this policy has been reviewed to include updates and changes; and

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:

Therefore be it resolved, Canaan Township Trustees have adopted the following Adult Use Cannabis and Medical Marijuana Policy effective December 29, 2023:

Adult Use Cannabis and Medical Marijuana Policy

SECTION 1:

In accordance with Ohio Revised Code Section 3796.28 and Ohio Revised Code Section 3780.35, the township does not permit and will not accommodate an employee's use, possession, or distribution of adult use cannabis and/or medical marijuana and the township will continue to enforce its drug testing and drug-free workplace policies in effect. Further, the Township expressly intends to avail itself of all other rights and remedies set forth in Ohio Revised Code Section 3796.28 and Ohio Revised Code Section 3780.35, including without limitation those set forth in Ohio Revised Code Section 3796.28 (A)(2) and Ohio Revised Code section 3780.35 (A)(2), which permits an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because of that person's use, possession, or distribution of adult use cannabis and/or medical marijuana.

SECTION 2:

All terms used in this resolution shall be defined in the same manner as Ohio Revised Code Chapter 3796, as it pertains to medical marijuana, and Ohio Revised Code 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.

SECTION 3:

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 Canaan Township, Morrow County, Ohio.

SECTION 4:

It is the intent of the Board of Township Trustees to prohibit the operations described in Section 3 above to the maximum extent permitted by Ohio Revised Code Section 3780.25 and Ohio Revised Code Section 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.

SECTION 5:

The passage of this Resolution and all deliberations relating to the passage of the Resolution were held in open meetings in accordance with the provisions of Ohio Revised Code Section 121.22.

SECTION 6:

This Resolution shall be in full legal force and affect from and after the earliest period allowed by law.

Be it Finally Resolved that the Trustees reserve the right to make additional changes and updates to the Medical Marijuana and Adult Use Cannabis Policy by amendment or future board of trustees actions.

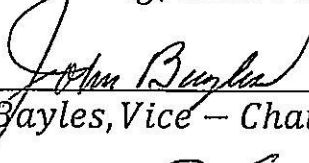
The roll being called upon its adoption resulted in the following vote:

Mr. Levering:	<input checked="" type="radio"/> Yes	No	Absent
Mr. Bayles:	<input checked="" type="radio"/> Yes	No	Absent
Mr. Carwell:	<input checked="" type="radio"/> Yes	No	Absent

Signature Page for Adult Use Cannabis and Medical Marijuana Policy



Tyler Levering, Chairman



John Bayles, Vice – Chairman



Matthew Carwell, Trustee

Adopted December 29, 2023



Jill Retterer, Fiscal Officer