

BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 2:00 p.m. this 8th day of June, 2017, with the following members present:

Joshua S. Gerth
Robin D. Stone
Andrew S. Pappas

Mr. Pappas introduced the following resolution and moved its passage:

RESOLUTION NO. 17-0608-02

LIFTING AND REPEALING THE MORATORIUM ON THE CULTIVATION AND PROCESSING OF MEDICAL MARIJUANA WITHIN THE I.D. DISTRICT LOCATED IN THE UNINCORPORATED TERRITORY OF ANDERSON TOWNSHIP

WHEREAS, Ohio House Bill 523 (“HB 523”), passed by both houses of the Ohio State Legislature, was signed into law by Governor John Kasich and became effective September 8, 2016; and

WHEREAS, Chapter 3796 of the Ohio Revised Code, effective September 8, 2016, establishes a medical marijuana control program to be administered by the Ohio Department of Commerce (the “Department”) and the State Board of Pharmacy, which shall provide, among other things, for the licensure of medical marijuana cultivators and processors; and

WHEREAS, for the purposes of this Resolution, the definitions of “cultivators” and “processors” shall have the same meanings as those in HB 523 and Chapter 3796 of the Ohio Revised Code (together, the “Act”), including without limitation Sections 3796.09, 3796.18 and 3796.19 of the Ohio Revised Code; and

WHEREAS, the Act provides for rulemaking by the Department regarding licensure of cultivators by May 8, 2017, and for other rules and regulations no later than September 8, 2017, and provides that the medical marijuana control program as defined in the Act (the “Program”) shall be fully operational by September 8, 2018; and

WHEREAS, Section 3796.29 of the Ohio Revised Code authorizes a board of township trustees to adopt a resolution to prohibit or limit the number of cultivators, processors, or retail dispensaries licensed under the Act and operating within the unincorporated territory of Anderson Township (the “Township”); and

WHEREAS, by passage of Resolution No. 17-0504-02 (the “Medical Marijuana Moratorium Resolution”), this Board imposed a one year moratorium on the cultivation,

processing, and retail dispensing of medical marijuana within the Township, effective May 18, 2017 (the “Moratorium”); and

WHEREAS, for the duration of the Moratorium, Township staff are prohibited from issuing or processing any permits or approvals for any medical marijuana-related businesses such as medical marijuana-related cultivators, processors, or retail dispensaries with the Township; and

WHEREAS, this Board desires to lift and repeal the Moratorium with respect to medical marijuana-related businesses and operations that constitute businesses or operations of medical marijuana cultivators and processors within the meaning of the Act, but only such businesses or operations as are or are to be located within the I.D. District in the Township;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Township Trustees (the “Board”) of Anderson Township, Hamilton County, State of Ohio;

SECTION 1. That this Board hereby determines that it is in the best interest of the Township to lift and repeal the Moratorium imposed by the Medical Marijuana Moratorium Resolution as it relates only to medical marijuana-related businesses or operations that constitute medical marijuana-related businesses or operations of cultivators and/or processors within the meaning of the Act (“Cultivators and Processors”), and that are located or are to be located *only* within the I.D. District in the Township.

SECTION 2. Township staff may issue and/or process permits and/or approvals for medical marijuana-related businesses or operations of Cultivators and Processors that are located or are to be located *only* within the I.D. District in the Township.

SECTION 3. In all other respects the Medical Marijuana Moratorium Resolution is hereby affirmed and remains effective.

SECTION 4. That this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted hereby.

Ms. Stone seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

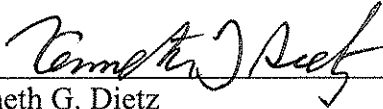
Mr. Gerth _____ yes _____ Ms. Stone _____ yes _____ Mr. Pappas _____ yes _____

CERTIFICATIONS

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 8th day of June, 2017, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

The undersigned further hereby certifies that the moneys required to meet the obligations of the Township under the foregoing Resolution during the remainder of the year 2017 have been lawfully appropriated by the Board of Township Trustees for such purpose and are in the treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

This 8th day of June, 2017.



Kenneth G. Dietz
Township Fiscal Officer