

**The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio,** met in regular session at 5:00 p.m., on the 9<sup>th</sup> day of August, 2016, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Jeffrey F. Ritter, Greg Insko, Michael Inderhees

Mr. Ritter introduced the following resolution and moved its adoption:

**RESOLUTION NO. 41 -16**

**RESOLUTION IMPOSING A MORATORIUM OF ONE YEAR ON THE ISSUANCE AND PROCESSING OF ANY PERMITS ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN COLERAIN TOWNSHIP, OHIO**

**WHEREAS**, Substitute House Bill 523, which is the Bill legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, becomes effective September 8, 2016; and

**WHEREAS**, for the purposes of this Resolution, the definitions of "cultivators," "processors," and "retail dispensaries" are given the same definitions as those found in Substitute House Bill 523 and Chapter 3796 of the Ohio Revised Code, which Chapter is effective September 8, 2016; and

**WHEREAS**, Ohio Revised Code Section 3796.29 authorizes a township board of trustees to limit the number of, or entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Section 3796.29 in the Colerain Township; and

**WHEREAS**, the Colerain Township Board of Trustees seeks time to study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana; or, alternatively, to develop and implement regulations regarding the possible location and operation of medical marijuana-related businesses within Colerain Township, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and

**WHEREAS**, Township staff will require additional time to review and make recommendations on zoning, prohibition and/or limitations of medical marijuana so that any necessary regulations conform to goals of the Colerain Township and help ensure the public peace, health, safety, and welfare of its citizens; and

**WHEREAS**, a moratorium of one (1) year on the granting of permits for medical marijuana-related businesses in the Colerain Township will allow the Board of Trustees time to accomplish the Township's goals and help ensure the public peace, health, safety, and welfare of its citizens.

**NOW, THEREFORE, BE IT RESOLVED BY THE COLERAIN TOWNSHIP BOARD OF TRUSTEES, \_\_ members elected thereto concurring:**

1. The Board of Trustees hereby imposes a moratorium of one (1) year on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is so that Township staff may study the new law and the related issues and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the Colerain Township and to prepare any necessary, related regulations.

2. The Board of Trustees seeks to limit the duration of the moratorium and to instruct the Township Administrator and Township staff to immediately undertake a review of the new law and related issues; Township staff will then recommend new regulations regarding the cultivation, processing, and retail dispensing of medical marijuana.

3. The Board of Trustees hereby directs and orders that no permits for cultivators, processors, or retail dispensaries of medical marijuana shall be issued or processed by Colerain Township during the one (1) year moratorium.

4. That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

5. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and hereby authorizes the adoption of the Resolution upon its first reading.

6. This Resolution shall take effect on the earliest date permitted by law.

Mr. Inderhees seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Ritter AYE, Mr. Insko Aye, Mr. Inderhees Aye

ADOPTED this 9th day of August, 2016.

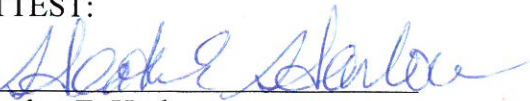
BOARD OF TRUSTEES:

Jeffrey F. Ritter  
Jeffrey F. Ritter, Trustee


Greg Insko  
Greg Insko, Trustee

Michael Inderhees  
Michael Inderhees, Trustee

ATTEST:

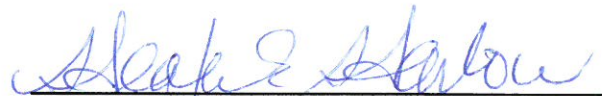
  
\_\_\_\_\_  
Heather E. Harlow,  
Fiscal Officer

Resolution prepared by and approved as to form:

  
\_\_\_\_\_  
Lawrence E. Barbieri (0027106)  
5300 Socialville Foster Rd., Suite 200  
Mason, OH 45040  
(513) 583-4200  
Colerain Township Law Director

#### AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 9<sup>th</sup> day of August, 2016.

  
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Heather E. Harlow,  
Colerain Township Fiscal Officer