

## **RESOLUTION 2016-33**

The Board of Trustees of Miami Township, Clermont County, Ohio met in regular session at the Miami Township Civic Building on June 21, 2016 with the following members present:, Karl Schultz, Ken Tracy and Mary Makley Wolff

\_\_\_\_\_ made a motion to adopt the following Resolution:

### **AGREEING TO INITIATE AN AMENDMENT TO THE ZONING RESOLUTION OF MIAMI TOWNSHIP, CLERMONT COUNTY, OHIO AND DISPENSING WITH THE SECOND READING**

**WHEREAS**, Ohio Revised Code Section 519.12 provides that an amendment to a township zoning resolution may be initiated by the township board of trustees by resolution; and

**WHEREAS**, Section 519.21 (D) of the Ohio Revised Code has been amended to provide that "[n]othing in this section prohibits a township zoning commission, board of township trustees, or board of zoning appeals from regulating the location of medical marijuana cultivators, processors, or retail dispensaries or from prohibiting such cultivators, processors, or dispensaries from being located in the unincorporated territory of the township;" and

**WHEREAS**, the Board of Trustees of Miami Township (the "Board") desires to initiate the process to amend the Zoning Resolution Section 25.01(C) to include: "Marijuana cultivators, processors and retail dispensaries are prohibited within all Districts."

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Miami Township, Clermont County, Ohio as follows:

- Section 1. Pursuant to Ohio Revised Code Section 519.12(A)(1), the Board hereby authorizes the initiation of an amendment to the Zoning Resolution of Miami Township, Clermont County, Ohio in order to consider a change in Section 25.01(C) to include: "Marijuana cultivators, processors and retail dispensaries are prohibited within all Districts."
- Section 2. Upon adoption, this Resolution shall be certified to the Miami Township Zoning Commission for processing in accordance with Ohio Revised Code Section 519.12(B) *et seq.*
- Section 3. That the Board finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were

taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. The Board does hereby dispense with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and authorizes the adoption of this Resolution upon its first reading.

Section 5. This Resolution shall take effect at the earliest period allowed by law.

First Reading: June 21, 2016  
Second Reading: Dispensed with  
Effective: June 21, 2016

\_\_\_\_\_ seconded the motion to adopt the Resolution. On the roll call being called the vote resulted as follows:

Mr. Schultz \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Ms. Wolff \_\_\_\_\_

Resolution 2016-33 adopted June 21, 2016

ATTEST:

\_\_\_\_\_  
Eric C. Ferry, Fiscal Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
Joseph J. Braun,  
Township Law Director

#### CERTIFICATION OF FUNDS

I hereby certify that at the time of making of this certification the amount required to meet the obligations set forth in this Resolution has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.

\_\_\_\_\_  
Eric C. Ferry  
Fiscal Officer, Miami Township