

ORDINANCE NO. O2017-07

AN ORDINANCE PROHIBITING MEDICAL MARIJUANA CULTIVATORS, PROCESSORS AND RETAIL DISPENSORY ESTABLISHMENTS LICENSED UNDER OHIO REVISED CODE CHAPTER 3796 WITHIN MUNICIPAL LIMITS OF THE CITY OF MIDDLETOWN.

WHEREAS, the Ohio legislature has adopted Chapter 3796 entitled Medical Marijuana Control Program; and

WHEREAS, Ohio Revised Code Section 3796.29 provides that the legislative authority of a municipal corporation may adopt an ordinance to prohibit, or limit the number of, cultivators, processors or retail dispensaries licensed under Chapter 3796 within the municipal corporation; and

WHEREAS, the City of Middletown desires to prohibit the cultivation, processing, or retail dispensing of medical marijuana within the municipal limits; now, therefore,

BE IT ORDAINED, by City Council of the City of Middletown, Butler/Warren Counties, Ohio, that:

Section 1

The cultivation, processing or retail dispensing of medical marijuana, even under a license issued under Chapter 3796 of the Ohio Revised Code, is prohibited within the City of Middletown. The violation of this ordinance is a misdemeanor of the fourth degree.

Section 2

This ordinance shall take effect and be in force at the earliest time permitted by law.

Section 3

This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare, to wit: in order to allow the legislation to be in effect prior to the expiration of the current moratorium on March 6, 2017, and shall take effect and be in force from and after its adoption.

/s/ Lawrence P. Mulligan, Jr.
Lawrence P. Mulligan, Jr. - Mayor

Adopted: February 21, 2017

Attest: /s/ Amy Schenck
Clerk of the City Council