

**BOARD OF TRUSTEES  
SPRINGFIELD TOWNSHIP, HAMILTON COUNTY, OHIO  
RESOLUTION NUMBER 21-2017**

**PROHIBITING CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARIES OF  
MEDICAL MARIJUANA FROM LOCATING IN SPRINGFIELD TOWNSHIP PURSUANT TO  
R.C. 3796.29**

**WHEREAS**, the Board of Trustees of Springfield Township, Hamilton County, Ohio, met in a Regular Session on the 14<sup>th</sup> day of February, 2017 at the Springfield Township Administration Building, 9150 Winton Road with the following members present:

Mark Berning

Joseph Honerlaw

Gwen McFarlin

Trustee Honerlaw moved for the adoption of the following Resolution:

**WHEREAS**, on June 8, 2016, the Ohio General Assembly adopted Sub. House Bill 523, legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio;

**WHEREAS**, Sub. House Bill 523 became effective on September 8, 2016;

**WHEREAS**, in enacting Sub. House Bill 523, the Ohio General Assembly recognized the potential negative effects of the cultivation, processing, and retail dispensing of medical marijuana on cities and townships in Ohio;

**WHEREAS**, the General Assembly specifically provided, in what has been codified as Ohio Revised Code Section 3796.29, that the legislative authority of any municipal corporation or township may adopt a resolution to prohibit, or limit the number of, cultivators, processors, or retail dispensaries of medical marijuana licensed by the State of Ohio in their jurisdictions;

**WHEREAS**, the General Assembly also amended Section 519.21 of the Ohio Revised Code which limits township zoning of agricultural uses to specifically allow a board of township trustees to regulate, or to prohibit, the location of cultivators, processors, or dispensaries in the unincorporated territory of the township; and

**WHEREAS**, given the residential character of Springfield Township, the fact that it borders the City of Cincinnati, and the proposed limited number of licensed cultivators, processors, and retail dispensaries, the Springfield Township Board of Trustees finds that it is not in the best interests of Springfield Township and is in fact contrary to the general health, welfare, and safety of its residents to permit cultivators, processors, or retail dispensaries within the unincorporated territory of the Township.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Township Trustees hereby prohibits cultivators, processors, or retail dispensaries from locating within the unincorporated territory of the Township as follows:

**Section 1  
Definitions**

- 1.1 Cultivators:** “Cultivators” shall have the same meaning as found in Chapter 3796 of the Ohio Revised Code.
- 1.2 Marijuana** “Marihuana” means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or

resin. "Marihuana" does not include the mature stalks of the plant, fiber produced from the stalks, oils or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination.

- 1.3 Medical marijuana:** "Medical marijuana" means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.
- 1.4 Processors:** "Processors" shall have the same meaning as found in Chapter 3796 of the Ohio Revised Code.
- 1.5 Retail dispensaries:** "Retail dispensaries" shall have the same meaning as found in Chapter 3796 of the Ohio Revised Code.

**Section 2**  
**Prohibition of Cultivators, Processors, and Retail Dispensaries within the Unincorporated Territory of Springfield Township**

**2.1 General Prohibitions:** Pursuant to Section 3796.29 of the Ohio Revised Code, cultivators, processors, and retail dispensaries of medical marijuana, as those terms are defined herein and in the Ohio Revised Code, shall be prohibited from locating anywhere within the unincorporated territory of Springfield Township.

**Section 3**  
**Exemption for Authorized Research Centers Approved by an Institutional Review Board**

**3.1 Exemption:** This Resolution does not prohibit or otherwise limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

**NOW, THEREFORE, BE IT RESOLVED 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.

**NOW, THEREFORE, BE IT RESOLVED THAT** this Resolution shall be effective at the earliest date allowed by law.

Trustee McFarlin seconded the Motion and roll being called upon its adoption the vote resulted as follows:

Mr. Berning, aye                      Mr. Honerlaw, aye                      Ms. McFarlin, aye

**Board of Trustees**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION:**

I, Dan Berning, Fiscal Officer, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Trustees of Springfield Township at a Regular Session held on February 14, 2017.

**Signed:** \_\_\_\_\_  
Fiscal Officer

**Approved as to Form:** \_\_\_\_\_  
Law Director