

RESOLUTION 138-2017

**RESOLUTION OF THE BOARD OF TRUSTEES OF
OLMSTED TOWNSHIP, CUYAHOGA COUNTY, OHIO**

Resolution prohibiting medical marijuana cultivators, processors, or retail dispensaries within the unincorporated territory of the township.

This date, 11/8, 2017, Trustee ZVEK,

moved the adoption of the following Resolution:

WHEREAS, the Ohio General Assembly passed the so-called "Medical Marijuana Control Bill" (House Bill 523), which became effective September 8, 2016; and

WHEREAS, Ohio Revised Code Section 3796.29 authorizes the Board of Trustees to adopt a resolution "to prohibit, or limit the number of, cultivators, processors, or retail dispensaries licensed under this chapter . . . within the unincorporated territory of the township;" and

WHEREAS, the Board of Trustees takes legislative notice that the use, possession, cultivation, distribution, and sale of marijuana, whether for medical or recreational use, remains illegal under the Controlled Substances Act, codified at 21 U.S.C. 841; and

WHEREAS, the Board has determined that the prohibition of Ohio-licensed, medical marijuana cultivators, processors, or retail dispensaries from location within the unincorporated territory of the township is deemed appropriate and in the best interests of the township.

NOW THEREFORE, it is hereby RESOLVED by the Board of Trustees that:

1. For purposes of this resolution, Ohio-licensed, medical marijuana "cultivators," "processors," and "retail dispensaries" shall have the same meanings as set forth in House Bill 523 and Chapter 3796 of the Ohio Revised Code.

2. Medical marijuana cultivators, processors, and retail dispensaries are hereby prohibited within the unincorporated territory of Olmsted Township.

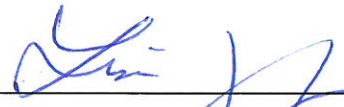
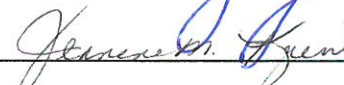
3. This resolution is adopted under the express authority extended by the General Assembly and in the interests of protecting the health, safety and welfare of the residents of Olmsted Township.

Trustee Kress seconded the motion and, thereupon, a roll call vote was taken and the results in favor were recorded and are reflected by the signatures hereto.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted 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 in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 8th day of November, 2017.

Attest: 
Township Fiscal Officer

Township Trustees