

PASSED 8/7/17

ORDINANCE NO. 4 - 2017

AN ORDINANCE PROHIBITING MEDICAL MARIJUANA
RETAIL DISPENSARY ESTABLISHMENTS LICENSED UNDER
OHIO REVISED CODE CHAPTER 3796 TO CONDUCT BUSINESS
WITHIN MUNICIPAL LIMITS OF THE VILLAGE OF OAK HARBOR

WHEREAS, Substitute HB No. 523, passed by the 131st Ohio General Assembly and thereupon signed by Governor Kasich, June 9, 2016, authorized use of marijuana for medical purposes and established the medical marijuana control program; and

WHEREAS, this Village Council has determined it to be in the best interest of the community health, safety and welfare to prohibit any retail dispensing of marijuana for medical purposes in any form within the Village; and

WHEREAS, Ohio's Home Rule Authority, found in Article XVIII of Ohio's Constitution, and Ohio Revised Code §3796.29 provide that the legislative authority of a municipal corporation may adopt an ordinance to prohibit, or limit the number of retail dispensaries licensed under Chapter 3796 within the municipal corporation;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OAK HARBOR, OTTAWA COUNTY, OHIO:

Section 1.

The retail dispensing of medical marijuana, even under a license issued under Chapter 3796 of the Ohio Revised Code, is prohibited within the Village of Oak Harbor. The violation of this Ordinance is a misdemeanor of the fourth degree.

Section 2.

This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of Council, and of its committees, which result in formal action, were taken in full compliance with the applicable legal requirements.

Section 3.

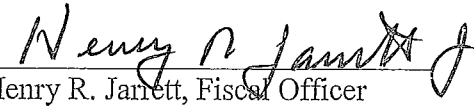
That this Ordinance shall take effect and be in full force and effect after the earliest date allowed by law.

Approved: Aug. 7, 2017



Joseph W. Helle, Mayor

Attest:



Henry R. Jarrett, Fiscal Officer

Dated: Aug. 7, 2017

First Reading: July 5, 2017

Second Reading: July 17, 2017

Third Reading: August 7, 2017

Adopted: Aug. 7, 2017