



Introduced: 8/5/2024
Revised:
Adopted:
Effective:

CITY OF PATASKALA

ORDINANCE 2024-4478

AN ORDINANCE TO IMPOSE A MORATORIUM ON THE ISSUANCE AND PROCESSING OF PERMITS THAT WOULD ALLOW THE CULTIVATION, PROCESSING, AND RETAIL DISPENSING OF ADULT USE CANNABIS WITHIN THE CITY OF PATASKALA

WHEREAS, Ohio voters approved State Issue 2 on November 7, 2023, adopting proposed legislation authorizing the cultivation, processing, and retail dispensing of adult use cannabis; and

WHEREAS, pursuant to the operation of Article II, Section 1b of the Ohio Constitution, the proposed legislation now approved by Ohio voters was automatically incorporated into the Ohio Revised Code as Sections 3780.01 through 3780.99 and became effective on December 7, 2023, with no further action required by the Ohio General Assembly (the “Act”); and

WHEREAS, upon the passage of State Issue 2, members of the Ohio General Assembly expressed an intention to amend the Act, but have not yet clarified whether the Act will be repealed, modified, or materially altered; and

WHEREAS, Section 3780.03 of the Act provided that a newly created “Division of Cannabis Control” shall develop and promulgate rules establishing standards and procedures for the implementation of the adult use cannabis program, including licensing requirements for the cultivators, processors, and retailers; and

WHEREAS, the Act, as currently constituted, provides the Division of Cannabis Control a period of nine months, which ends on September 7, 2024, to implement rules and regulations regarding the adult use cannabis program; and

WHEREAS, Council for the City of Pataskala intends to adopt legislation that provides for the orderly implementation of adult use cannabis in the City consistent with State laws and regulations; and

WHEREAS, pursuant to the Ohio Constitution and local ordinances, Council possesses the inherent power to enact appropriate planning, zoning, and business regulation laws that further the health, safety, and welfare of its citizens, including, restricting, prohibiting, and/or regulating certain business uses; and

WHEREAS, at least until such time as regulations are adopted, the amendments to the Act are adopted, and the City has had the opportunity to study the foregoing, Council has determined it to

be in the best interest of the community's health, safety, and welfare to impose a moratorium on any cultivation, processing, or retail dispensing of cannabis for adult use business purposes in any for within the City of Pataskala, except as required by the Act; now, therefore

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING, THAT:

Section 1: The City of Pataskala hereby imposes a moratorium on the issuance and processing of any permits for cultivators, processors, and retail dispensaries of adult use cannabis as defined in Sections 3780.01 through 3780.99 of the Ohio Revised Code.

Section 2: That the purpose of this moratorium is to allow the City Administration and Council time to review any legislative actions of the Ohio General Assembly relating to State Issue 2 and rules and regulations promulgated by the Division of Cannabis Control, and to consider amendments to pertinent Codified Ordinances, including the Planning and Zoning Code, to prepare regulations which may be necessary, and to determine where and whether to allow, limit, or prohibit cultivators, processors, and retail dispensaries in the City.

Section 3: Council for the City of Pataskala hereby directs and orders no permits for cultivators, processors, or retail dispensaries of adult use cannabis shall be issued or processed by the City during the moratorium.

Section 4: That the moratorium shall be in effect for a period beginning from the effective date of this Ordinance through July 1, 2025, or Council approves legislation expressly revoking this moratorium whichever occurs first.

Section 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 6: This Ordinance shall become effective from and after the earliest period allowed by the Charter of the City of Pataskala.

ATTEST:

Jessica M. Cumbo, Clerk of Council

Michael W. Compton, Mayor

Approved as to form:



Brian M. Zets, Law Director