

ORDINANCE NO. 2023 - 20

**ORDINANCE IMPOSING A MORATORIUM OF NINE MONTHS ON ADULT USE CANNIBIS OPERATORS WITHIN THE VILLAGE OF LEWISBURG AND DECLARING AN EMERGENCY.**

Whereas, State Issue 2 enacts Ohio Revised Code Chapter 3780 which legalizes the growing, processing, and selling of cannabis (marijuana) for adult use in the State of Ohio and will be effective December 7<sup>th</sup>, 2023; and

Whereas, for the purpose of this Ordinance “adult use cannabis operator” has the same meaning as in State Issue 2 and Chapter 3780 of the Ohio Revised Code; and

Whereas, Ohio Revised Code Chapter 3780 authorizes municipalities to entirely prohibit or limit the number of adult cannabis operators in their respective jurisdiction; and

Whereas, Article 18 of the Ohio Constitution grants authority to municipalities to exercise all powers of local self-government, including the ability to limit land use; and

Whereas, the Village Council desires time to research the benefits and consequences related to adult use cannabis operators within the Village of Lewisburg to determine if such activities should be allowed, limited, or entirely prohibited; and

Whereas, the Village staff desires time to make informed recommendations to the Village Council regarding potential changes to the Village’s Codified Ordinances based on the Village Council’s determination whether to allow, limit, or prohibit adult use cannabis operators within the Village limits; and

Whereas, a moratorium of nine (9) months on adult use cannabis operators in the Village will allow Village Council and staff time to accomplish the Village’s goals stated herein and protect the health, safety and welfare of the citizens and help ensure the public peace, health, safety and welfare.

**NOW THEREFORE BE IT ORDAINED** by the Village of Lewisburg Council that:

**Section 1.** Village Council imposes a moratorium of nine (9) month on adult use cannabis operators in the Village of Lewisburg. Thus, no adult cannabis operators shall locate or operate in the Village of Lewisburg and the issuance of any permits or authorizations related to adult use cannabis operators is prohibited in the Village of Lewisburg for a nine (9) month period. The purpose of this moratorium is to allow Village Council and Village staff to study State Issue 2, any legislative modifications thereto, and the potential benefits and consequences of allowing, limiting, or prohibiting adult use cannabis operators within the Village of Lewisburg and prepare for any necessary changes to the Village’s Codified Ordinances.

And consequences of allowing

**Section 2.** Village Council instructs the Village Administrator and staff to immediately review State Issue 2 and any related issues regarding the presence of adult use cannabis operators within the Village. Village staff shall then make recommendations to the Village Council regarding any potential changes to the Village's Codified Ordinances related to these activities for the Village Council's consideration.

**Section 3.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the citizens of the Village of Lewisburg and in order to effectuate this moratorium to coincide with the effective date of State Issue 2. Therefore, this Ordinance shall become effective immediately upon its adoption.

Dated: 12-07-2023

Marsha Jones  
**Mayor**

Attest: Elizabeth A. Wagner  
**Clerk of Council**

And consequences of allowing