



RESOLUTION #24-06-065

A RESOLUTION IMPOSING A MORATORIUM ON RETAIL DISPENSARIES FOR THE SALE OF MEDICAL MARIJUANA AND ADULT USE CANNABIS WITHIN BETHEL TOWNSHIP, MIAMI COUNTY, OHIO

The Bethel Township Board of Trustees met in Regular session on June 4th, 2024 at the offices of the Bethel Township Trustees with the following Trustees being present: Kama Dick, Julie Reese, and Beth van Haaren

Trustee Dick moved for the adoption of the following resolution:

WHEREAS, on November 7, 2023, Ohioans voted to approve State Issue 2, the Marijuana Legalization Initiative, which will make adult recreational marijuana use legal effective December 7, 2023; **AND**

WHEREAS, Chapter 3780 of the Ohio Revised Code establishes a Division of Cannabis Control, which shall provide for the licensure of "adult use" cannabis cultivators and processors, cannabis testing laboratories, and adult use dispensaries in the state of Ohio; **AND**

WHEREAS, for the purposes of this Resolution, the definitions of "cultivators," "processors," and "adult use dispensaries" shall be accorded the same definitions as those found in Ohio Revised Code Chapter 3780; **AND**

WHEREAS, pursuant to Section 3780.25 of the Ohio Revised Code, a board of township trustees may adopt a resolution, by majority vote, to prohibit or limit the number of adult use cannabis operators within the unincorporated territory of the township; **AND**

WHEREAS, Bethel Township Board of Trustees desires time to study whether to limit or prohibit the dispensing of cannabis, or, alternatively, to develop and implement regulations regarding the possible location and operation of cannabis related businesses within Bethel Township, including cannabis cultivators, processors, and dispensaries; **AND**

WHEREAS, medical marijuana is regulated in Ohio by Chapter 3796 of the Ohio Revised Code; **AND**

WHEREAS, R.C. 3796.29 similarly authorizes townships to prohibit or limit the number of marijuana cultivators, processors, or retail dispensaries licensed under Chapter 3796 within the unincorporated area of the township; **AND**

WHEREAS, the Bethel Township Board of Trustees believe that such a moratorium on cannabis dispensaries is necessary to ensure the health, safety, and welfare of its residents. **THEREFORE**

BE IT RESOLVED, by the Board of Township Trustees of Bethel Township, Miami County, Ohio that:

SECTION 1. Pursuant to Ohio Revised Code Section 3780.25, the Bethel Township Board of Trustees hereby establishes a six-month moratorium with respect to the authorization or establishment of adult use cannabis retail dispensaries within Bethel Township.

SECTION 2. Pursuant to Ohio Revised Code Section 3796.29, the Bethel Township Board of Trustees hereby establishes a six-month moratorium with respect to the authorization or establishment of medical marijuana retail dispensaries within Bethel Township.

SECTION 3. That this Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution shall take effect immediately.

Trustee Reese seconded the motion and the Board voted as follows upon roll call:

Vote: Trustee Kama Dick

Y

Trustee Julie Reese

Y

Trustee Beth vanHaaren

Y

Kama Dick
Julie Reese
Beth van Haaren

CERTIFICATE OF RECORDING OFFICER

I, Rhonda Ross, do hereby certify that the foregoing is a true and correct copy of **RESOLUTION #24-06-065** adopted by the Board of Trustees of Bethel Township, Miami County on the **4TH DAY OF JUNE, 2024**, and that I am duly authorized to execute this certificate.

Rhonda Ross

Rhonda Ross, Fiscal Officer
Bethel Township, Miami County, Ohio