



RESOLUTION #24-12-122

**A RESOLUTION LIMITING RETAIL DISPENSARIES FOR THE SALE OF
MEDICAL MARIJUANA AND ADULT USE CANNABIS WITHIN BETHEL TOWNSHIP, MIAMI COUNTY**

The Bethel Township Board of Trustees, Bethel Township, Miami County, Ohio, met in regular session on the 3rd day of December, 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 (O.R.C) 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, 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 (as defined in O.R.C. 3780.01) within the unincorporated territory of the township; **AND**

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

WHEREAS, O.R.C. Chapter 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, all terms used in this resolution shall be defined in the same manner as O.R.C. Chapter 3780 as it pertains to adult use cannabis and O.R.C. Chapter 3796 as it pertains to medical marijuana. All terms used in this resolution but not defined in those chapters shall be construed, for purposes of this resolution, in a manner to be consistent with the use of such terms in both chapters; **AND**

WHEREAS, resolution #24-06-064 established limits for medical marijuana and adult use cannabis cultivator and processor facilities within Bethel Township, Miami County; **AND**

WHEREAS, the Bethel Board of Township Trustees, Miami County finds it to be in the best interest of the Township to limit adult use cannabis operators licensed under Ohio Revised Code Chapter 3780, as well as medical marijuana operators licensed under Ohio Revised Code Chapter 3796, within the area of Bethel Township, Miami County. **THEREFORE**

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

SECTION 1. Both adult use cannabis dispensaries and medical marijuana retail dispensaries are hereby limited to ZERO dispensary facilities in total, regardless of whether any such dispensary is for medical marijuana, adult use cannabis, or a combination thereof, within Bethel Township, Miami County.

SECTION 2. 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 3. This Resolution shall take effect immediately.

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

Vote: Trustee Kama Dick	<u>Y</u>	<u>Kama Dick</u>
Trustee Julie Reese	<u>Y</u>	<u>Julie Reese</u>
Trustee Beth vanHaaren	<u>Y</u>	<u>Beth van Haaren</u>

CERTIFICATE OF RECORDING OFFICER

I, Rhonda Ross, do hereby certify that the foregoing is a true and correct copy of **RESOLUTION #24-12-122** adopted by the Board of Trustees of Bethel Township, Miami County on the **3RD DAY OF DECEMBER, 2024**, and that I am duly authorized to execute this certificate.

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