

**ORDINANCE NO. 2024-35**

**AN ORDINANCE IMPOSING AN INDEFINITE MORATORIUM ON THE ACCEPTANCE, CONSIDERATION, AND/OR GRANTING OF ANY APPLICATIONS FOR LOCAL LICENSING APPROVAL, AND/OR ANY ZONING, OCCUPANCY, OR OTHER PERMITS RELATING TO CULTIVATORS, PROCESSORS, OR RETAIL DISPENSARIES OF MARIJUANA PRODUCTS WITHIN THE VILLAGE OF FREDERICKTOWN CORPORATION LIMITS**

**WHEREAS**, In the November 2023 general election, the electorate of the State of Ohio passed Issue 2, which made legal the recreational use of marijuana in the State of Ohio with certain yet to be determined restrictions; and

**WHEREAS**, The Village previously imposed a six-month moratorium on June 20, 2024 which is set to expire on December 20, 2024.

**WHEREAS**, Village Council believes that an indefinite moratorium is necessary and appropriate to preserve the health, safety and public peace of the Village until such time as the Village can determine the best methods to address the use of marijuana within the Village and to more accurately determine the regulations that have been and will be approved by the State of Ohio.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Fredericktown:

**SECTION 1.** An indefinite moratorium is hereby, imposed on the consideration and/or granting of any applications for local licensing approval, and any zoning, occupancy, or other permits relating to cultivators, processors or retail dispensaries of marijuana within the Village of Fredericktown.

**SECTION 2.** The duration of the moratorium shall commence with the passage of this Ordinance and shall continue until such time as the Village Council takes formal action to terminate the moratorium.

**SECTION 3.** This moratorium shall not be applicable to the extent it limits any research related to marijuana lawfully conducted at an academic institution, academic medical center, or private scientific research and development organization as part of a research protocol approved by an institutional review board or equivalent entity. Further, this moratorium shall not in any way affect the enforcement of existing criminal laws regarding marijuana applicable within the Village; all such criminal laws remain in full force and effect

**SECTION 4.** Village Council recognizes that there are not existing requests for local licensing approval, and any zoning, occupancy, or other permits relating to cultivators, processors or retail dispensaries of marijuana within the Village of Fredericktown with any vested rights to establish a use covered by this moratorium.

**SECTION 5.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its Committees that resulted in such formal action were taken in meetings open to the public and in conformance with all legal requirements including Section 121. 22 of the Ohio Revised Code.

**SECTION 6.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation or the public peace, health and safety of the Village.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Rick Lanuzza, President Pro-Tempore

ATTEST: \_\_\_\_\_  
Suzan Graves, Fiscal Officer