



**RESOLUTION NO. HR2023-003**

**BOARD OF TRUSTEES, WASHINGTON TOWNSHIP  
MONGOMERY COUNTY, OHIO**

**LIMITED HOME RULE RESOLUTION IMPOSING A MORATORIUM OF THREE HUNDRED AND SIXTY  
DAYS ON THE CULTIVATION, PROCESSING, AND RETAIL SALE OF "ADULT USE" CANNABIS  
WITHIN WASHINGTON TOWNSHIP AND DECLARING AN EMERGENCY**

- WHEREAS** Issue 2, now Chapter 3780 of the Ohio Revised Code, passed by a majority of Ohio voters and becomes effective December 7, 2023; and
- WHEREAS** new Chapter 3780 of the Ohio Revised Code establishes a Division of Cannabis Control within the Department of Commerce, which shall provide for the licensure of "adult use" cannabis cultivators and processors, cannabis testing laboratories, and "adult use" dispensaries; and
- WHEREAS** for the purposes of this Resolution, the definitions of "cultivators," "processors," and "adult use dispensaries" are given the same definitions as those found in Chapter 3780 of the Ohio Revised Code, which Chapter becomes effective December 7, 2023; and
- WHEREAS** Section 3780.25 of the Ohio Revised Code authorizes a township board of trustees to adopt a resolution limiting the number of, or entirely prohibiting, cultivators, processors, or "adult use" dispensaries licensed under Ohio Revised Code Chapter 3780 within the unincorporated territory of the township; and
- WHEREAS** the Washington Township Board of Trustees seeks time to study whether to limit or entirely prohibit the cultivation, processing and/or dispensing of "adult use" cannabis; or, alternatively, to develop and implement regulations regarding the possible location and operation of cannabis-related businesses within Washington Township, including cannabis-related cultivators, processors, and adult use dispensaries; and
- WHEREAS** Township staff require additional time to review and make recommendations on zoning, prohibition and/or limitations of cannabis operators so that any necessary regulations conform to goals of the Washington Township Board of Trustees and help ensure the public peace, health, safety, and welfare of its citizens; and
- WHEREAS** a moratorium of three hundred and sixty (360) days on the authorization or establishment of any cannabis-related businesses in Washington Township will allow the Board of Trustees and Township staff time to accomplish the Township's goals and help ensure the public peace, health, safety, and welfare of its citizens.

**NOW THEREFORE, BE IT RESOLVED**, that the Washington Township Board of Trustees does hereby resolve to:

- SECTION 1.** That pursuant to its powers under Ohio Revised Code Section 3780.25, and Ohio Revised Code Chapter 504, the Washington Township Board of Trustees hereby establishes a moratorium of three hundred and sixty (360) days with respect to the authorization or establishment of any cannabis-related businesses within Washington Township, including but not limited to cannabis-related cultivators, processors, or adult use dispensaries.
- SECTION 2.** For the duration of this moratorium, Township staff are prohibited from issuing or processing any permits or approvals for any cannabis-related businesses such as cannabis-related cultivators, processors, or adult use dispensaries within Washington Township.

- SECTION 3.** The Board of Trustees directs the Township staff and the Law Director to investigate and review the implementation of Chapter 3780 of the Ohio Revised; Township staff will then make a recommendation to the Board of Trustees with respect to regulations regarding the cultivation, processing, and adult use dispensing of cannabis.
- SECTION 4.** It is found and determined that all formal actions of the Board of Trustees concerning and relating to the passage of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board of Trustees and of any of its committees that resulted in formal action were in meetings open to the public in compliance with all legal requirements, including 121.22 of the Ohio Revised Code.
- SECTION 5.** This resolution constitutes an emergency measure necessary for the immediate preservation of the public health, safety and general welfare, and for the further reason that the Board desires to prevent the proliferation of cannabis-related businesses within the unincorporated territory of the Township until the effect of this business enterprise on Washington Township is reviewed, and for these reasons, this resolution shall be effective upon its passage per Ohio Revised Code Section 504.11.

**BE IT FURTHER RESOLVED**, that by a majority vote of its members, the Board of Trustees of Washington Township hereby dispenses with the requirement that this Resolution be read on two separate days and authorizes the adoption of this resolution on the first reading.

**BE IT FURTHER RESOLVED**, that this Resolution constitutes an emergency measure necessary for the immediate preservation of the health, safety, and general welfare of Township residents. As such, this Resolution shall be immediately effective upon its passage per Ohio Revised Code 504.11.

**VOTE RECORD:**

Mr. Berry yes


Ms. Lowry yes

Mr. Paulson yes

**PASSED** at the Meeting of the Board of Trustees this 20 day of November, 2023.

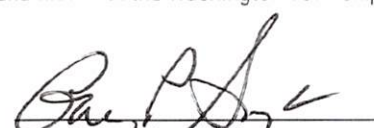
  
Dale Berry, President

  
Scott Paulson, Vice President


  
Sharon Lowry, Trustee

**AUTHENTICATION**

This is to certify that this Resolution was duly passed and filed with the Washington Township Fiscal Officer, this \_\_\_ day of November, 2023.

  
Gary Smiga, Fiscal Officer

**APPROVED AS TO FORM:**

  
Scott D. Phillips, Law Director