

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 21-140**

**RESOLUTION IMPOSING A MORATORIUM OF ONE YEAR ON THE ISSUANCE
AND PROCESSING OF ANY PERMITS ALLOWING RETAIL DISPENSARIES,
CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN
FAIRFIELD TOWNSHIP, OHIO.**

WHEREAS, Substitute House Bill 523, which is the Bill legalizing the cultivating, processing, and dispensing of medical marijuana in the State of Ohio, became effective September 1, 2016; and

WHEREAS, for the purposes of this Resolution, the definitions of "cultivators," "processors," and "retail dispensaries" are given the same definitions as those found in Substitute House Bill 523 and Chapter 3796 of the Ohio Revised Code, which Chapter became effective September 1, 2016; and

WHEREAS, Ohio Revised Code Section 3796.29 authorizes a township board of trustees to limit the number of, or entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Section 3796.29 in the Fairfield Township; and

WHEREAS, the Fairfield Township Board of Trustees seeks time to study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical marijuana; or, alternatively, to develop and implement regulations regarding the possible location and operation of medical marijuana-related businesses within Fairfield Township, including medical marijuana-related businesses for retail dispensaries, cultivators, and processors; and

WHEREAS, Township staff will require additional time to review and make recommendations on zoning, prohibition and/or limitations of medical marijuana so that any necessary regulations conform to goals of the Fairfield Township and help ensure the public peace, health, safety, and welfare of its citizens; and

WHEREAS, Township Trustees unanimously approved a moratorium on September 16, 2016 by adopting Resolution 16-97, and September 13, 2017 by adopting 17-87; and

WHEREAS, a moratorium of one (1) year on the granting of permits for medical marijuana-related businesses in the Fairfield Township will allow the Board of Trustees 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 BY THE TRUSTEES OF FAIRFIELD
TOWNSHIP, BUTLER COUNTY, OHIO AS FOLLOWS:**

1. The Board of Trustees hereby imposes a moratorium of one (1) year on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana. The purpose of this moratorium is so that Township staff may study the new law and the related issues and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries in the Fairfield Township and to prepare any necessary, related regulations.

2. The Board of Trustees seeks to limit the duration of the moratorium and to instruct the Township Administrator and Township staff to immediately undertake a review of the new law and related issues; Township staff will then recommend new regulations regarding the cultivation, processing, and retail dispensing of medical marijuana.

3. The Board of Trustees hereby directs and orders that no permits for cultivators, processors, or retail dispensaries of medical marijuana shall be issued or processed by Fairfield Township during the one (1) year moratorium.

4. That it is hereby found and determined that all formal actions of this Board 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 and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

5. That the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days, pursuant to Section 504.10 of the Ohio Revised Code, and hereby authorizes the adoption of the Resolution upon its first reading.

6. This Resolution shall take effect on the earliest date permitted by law.

Vote Record: Mrs. Hartkemeyer Yes, Mrs. Berding Yes, Mr. McAbee Yes.

ADOPTED this 13th day of October, 2021.

BOARD OF TRUSTEES:

Susan Berding
Susan Berding, Trustee

Shannon Hartkemeyer
Shannon Hartkemeyer, Trustee


Joe McAbee
Joe McAbee, Trustee

ATTEST:



Shelly Schultz, Fairfield Township Fiscal Officer

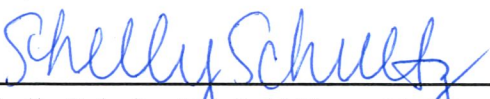
RESOLUTION PREPARED BY AND APPROVED AS TO FORM:



Lawrence E. Barbieri (0027106)
5300 Socialville Foster Rd., Suite 200
Mason, OH 45040
(513) 583-4200
Colerain Township Law Director

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Fairfield Township Fiscal Officer this 13th day of October, 2021.



Shelly Schultz, Fairfield Township Fiscal Officer