

**FAIRFIELD TOWNSHIP  
RESOLUTION NO. 22-136**

**A RESOLUTION TO PROHIBIT THE ESTABLISHMENT OF ANY ENTERPRISE THAT  
INCLUDES RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL  
MARIJUANA WITHIN FAIRFIELD TOWNSHIP, OHIO**

**WHEREAS**, the Ohio Legislature passed House Bill 523 which authorized the use of marijuana for medical purposes and became effective on September 8, 2016; and

**WHEREAS**, Chapter 3796 of the Ohio Revised Code authorizes the licensure of medical marijuana cultivators and processors as well the licensure of retail dispensaries; and

**WHEREAS**, pursuant to Section 3796.29 of the Ohio Revised Code, a board of township trustees may adopt a resolution to prohibit the number of cultivators, processors, or retail dispensaries within the unincorporated territory of a township; and

**WHEREAS**, Fairfield Township Board of Trustees had passed moratoriums on the issuance and processing of permits for cultivators, processors, and retail dispensaries of medical marijuana so that the Township staff may study the new law and related issues and then determine whether to prohibit cultivators, processors, and retail dispensaries in the Fairfield Township; and

**WHEREAS**, the Fairfield Township Board of Trustees has come to the conclusion that prohibiting the processing and/or retail dispensing of medical marijuana is necessary to ensure the health, safety, and welfare of its residents.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of Fairfield Township, Butler County, Ohio, as follows;

**SECTION 1.** For the purposes of this Resolution, the definitions of "cultivators," "processors," and "retail dispensaries" are given the same definitions as those found in House Bill 523 and Chapter 3796 of the Ohio Revised Code.

**SECTION 2.** Medical marijuana cultivators, processors, and retail dispensaries are hereby prohibited within the unincorporated territory of Fairfield Township.

**SECTION 3.** This resolution does not limit the research related to marijuana which is conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity

**SECTION 3.** The Trustees of Fairfield Township upon majority vote do hereby dispense with any requirements that this resolution be read on two separate days, and hereby authorize adoption of this resolution upon its first reading.

**SECTION 4.** This resolution is the subject of the express authority granted to the Board of Trustees through the Ohio Revised Code and in the interests of protecting the health, safety, and welfare of the residents of Fairfield Township.

**SECTION 5.** 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 meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

**SECTION 6.** This Resolution shall take effect on the earliest date allowed by law.

**Adopted:** October 11, 2022

**Board of Trustees**

**Vote of Trustees**

Shannon Hartkemeyer: Shannon Hartkemeyer  
Michael Berding: [Signature]  
Joe McAbee: Joe McAbee

yes  
yes  
yes

**AUTHENTICATION**

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 11<sup>th</sup> day of October, 2022.

**ATTEST:**

Shelly Schultz  
Shelly Schultz, Fairfield Township Fiscal Officer

**APPROVED AS TO FORM:**

L. E. Barbieri  
Lawrence E. Barbieri, Township Law Director