

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 24-29**

**A RESOLUTION IMPOSING A MORATORIUM ON THE CULTIVATION, PROCESSING,
AND RETAIL SALE OF ADULT USE CANNABIS WITHIN FAIRFIELD
TOWNSHIP, OHIO**

WHEREAS, on November 7, 2023, Ohioans voted to approve Issue 2, the Marijuana Legalization Initiative, which will make adult recreational marijuana use legal effective December 7, 2023.

WHEREAS, 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” shall be accorded the same definitions as those found in Ohio Revised Code Chapter 3780.

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 within the unincorporated territory of the township; and

WHEREAS, Fairfield Township Board of Trustees desires time to study whether to limit or 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 Fairfield Township, including cannabis cultivators, processors and adult use dispensaries; and

WHEREAS, the Fairfield Township Board of Trustees believe that such a moratorium on cannabis-related business 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. Pursuant to Ohio Revised Code Section 3780.25, the Fairfield Township Board of Trustees hereby establishes a moratorium with respect to the authorization or establishment of any cannabis-related businesses within Fairfield Township, including, but not limited to, cannabis-related cultivators, processors or adult use dispensaries.

SECTION 2. That 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 is hereby declared to be an emergency measure, pursuant to R.C. 504.11, necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of Fairfield Township.

SECTION 4. This Resolution shall take effect immediately, or upon the earliest date as otherwise allowed by law.

SECTION 5. The Trustees of Fairfield Township, upon at least a majority vote, do hereby dispense with any requirement that this resolution be read on two separate days, and hereby authorize the adoption of this resolution upon its first reading.

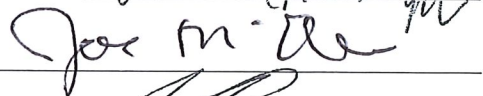
Adopted: 2-13, 2024

Board of Trustees

Vote of Trustees

Shannon Hartkemeyer: 

yes

Joe McAbee: 

yes

Michael Berding: 

yes

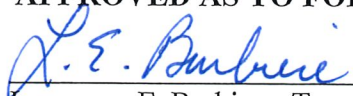
AUTHENTICATION

This is to certify that this is a resolution which was duly passed and filed with the Fairfield Township Fiscal Officer this 13th day of February, 2024.

ATTEST:


Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:


Lawrence E. Barbieri, Township Assistant Law Director