



LEGISLATIVE COVER MEMO

Introduction: June 3, 2024

Public Hearing: June 3, 2024

Effective Date: June 3, 2024

Agenda Item: **Ordinance 2024-13**

**PROHIBITING ADULT USE CANNABIS CULTIVATORS,
PROCESSORS, AND RETAIL DISPENSARIES WITHIN THE CITY
OF FRANKLIN, OHIO, AND DECLARING AN EMERGENCY**

Submitted by: Jonathan Westendorf, City Manager & Safety Director

Scope/Description: This Ordinance prohibits all adult use cannabis operators within the City of Franklin.

Vote Required for Passage: The affirmative vote of at least five (5) members of Council (per City Charter 4.05).

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
ORDINANCE 2024-13

**PROHIBITING ADULT USE CANNABIS CULTIVATORS, PROCESSORS,
AND RETAIL DISPENSARIES WITHIN THE CITY OF FRANKLIN, OHIO, AND DECLARING AN EMERGENCY**

WHEREAS, Ohio Issue 2 passed on November 7, 2023, enacting new Chapter 3780 of the Ohio Revised Code legalizing and regulating the sale, purchase, and use of recreational cannabis by adults 21 and over;

WHEREAS, R.C. 3780.25 empowers the legislative authority of a municipal corporation to regulate adult use cannabis activities within the municipal corporation by prohibiting, or limiting the number of, adult use cannabis cultivators, processors, or retail dispensaries licensed in the State of Ohio;

WHEREAS, City Council enacted a six-month moratorium on the processing and issuance of permits allowing adult use cannabis operators within the City of Franklin's municipal boundaries through the passage of Resolution 2023-82 passed on December 18, 2023;

WHEREAS, the purpose of the moratorium was to allow the City time to study data and receive input from the City's newly appointed public safety leadership on the potential impact of adult use cannabis cultivation, processing and retail dispensary activities on the Franklin community;

WHEREAS, based on the City's review of data and other information, and collection of input from the City's public safety leadership, regarding the potential impact of adult use cannabis activities on the Franklin community, Council has determined that permitting adult use cannabis cultivation, processing, and/or retail dispensary activities within the City limits would have a negative impact on the community; and

WHEREAS, Council finds it to be in the best interests of the public health, safety and general welfare of the citizens of Franklin to prohibit adult use cannabis cultivation, processing, and retail dispensary activities within the City limits.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. Adult use cannabis cultivators, processors, and retail dispensaries, including but not limited to those licensed under R.C. Chapter 3780, are hereby prohibited within the corporate territory of the City of Franklin, Ohio.

Section 2. No provision set forth in the Codified Ordinances of the City of Franklin shall be interpreted as permitting (conditionally or as of right) any adult use cannabis cultivation, processing, or retail dispensary activities or uses within the City limits.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Emergency Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 4. This Emergency Ordinance shall go into effect immediately upon its adoption.

ADOPTED: June 3, 2024

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of an ordinance passed by that body on June 3, 2024.

Khristi Dunn, Clerk of Council