

TEMPORARY ORDINANCE NO. 44-25

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO AMEND LANCASTER CODIFIED ORDINANCE PART SEVEN – BUSINESS REGULATION CODE, CHAPTER 709 – CULTIVATION, PROCESSING OR DISPENSING OF MEDICAL MARIJUANA OR ADULT USE CANNABIS BY REPEALING AND REPLACING SECTION 709.05 – REVIEW AND REAPPROVAL OF ADULT USE CANNABIS MORATORIUM

WHEREAS, pursuant to Issue 2, the state Marijuana Legalization Initiative, which passed in November of 2023, the sale of adult use cannabis was legal in the State of Ohio as of August 2024; and

WHEREAS, pursuant to specific language in that initiative, as well as home rule authority regarding land use, local political subdivisions have the power and authority to determine whether to prohibit adult use dispensaries within their municipal corporation limits; and

WHEREAS, the cultivation, processing, or dispensing of medical marijuana is currently prohibited within the municipal corporation limits of Lancaster; and

WHEREAS, the Ohio General Assembly has drafted a variety of changes to Ohio Revised Code Title 37, Chapter 3780 – Adult Use Cannabis Control, which was created by Issue 2, but it still hasn't enacted any additional legislation to regulate adult use cannabis at the state level; and

WHEREAS, due to the unpredictability of the Ohio General Assembly on this issue and concerns regarding the increased availability of illegal marijuana in the City, the Law Committee has recommended that Council's previously enacted one (1) year moratorium on adult use cannabis dispensaries be continued for another two (2) years which would require Council to review its moratorium on or before January 1, 2028; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That Part Seven – Business Regulation Code, Chapter 709 – Cultivation, Processing or Dispensing of Medical Marijuana or Adult Use Cannabis, Section 709.05 – Review and Reapproval of Adult Use Cannabis Moratorium, of the Codified Ordinances of the City of Lancaster, shall be repealed and replaced as follows:

“709.05 REVIEW AND RE-APPROVAL OF ADULT USE CANNABIS MORATORIUM.

By or before January 1, 2028, City Council shall review the current moratorium on adult use cannabis imposed by Section 709.03 of the Lancaster Codified Ordinances, and shall, by ordinance, continue or discontinue the moratorium hereby adopted.”

SECTION 2. That City Council hereby finds that this Ordinance was deliberated upon and passed in an open meeting in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Law Committee

I, Anitra Scott, Clerk of Council do hereby certify that on _____, 2025 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council