

Ordinance 2022

Chapter 1101 Definitions.

Medical marijuana related definitions:

- a) Cultivate. Means to grow, harvest, package, and transport medical marijuana pursuant to ORC 3796.
- b) Cultivator. Means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796.
- c) Dispensary. Means an entity licensed pursuant to ORC 3796 and any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.
- d) Dispense. Means the delivery of medical marijuana to a patient or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.
- e) Manufacture. Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
- f) Marihuana. Has the same meaning as defined in ORC 3719.01, as amended from time to time.
- g) Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- h) Medical Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- i) Medical Marijuana Entity. Means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
- j) Medical Marijuana Processor. Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
- k) Testing Laboratory. Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

Chapter 1149.26 General Conditions for Medical Marijuana Entities.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations that provide for State-authorized medical marijuana land uses consistent with ORC 3796. ORC 3796 allows regulation of the location of medical marijuana cultivators, processors, or dispensaries within the municipal corporation.

1. Not an Agricultural Use. Medical marijuana is not considered an "agricultural" use.

Zoning Districts. Medical marijuana cultivators, processors, and dispensaries are prohibited. Furthermore, no cultivator, processor, or dispensary shall be permitted as a home occupation. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

This Ordinance is a measure made necessary to protect the health, safety, and welfare of this Village of West Liberty, Ohio, and shall be in effect upon its passage and signing of the necessary signatures.

1st Reading: January 17, 2022

Vote: Yeas: 6 Nays: 0

2nd Reading: January 24, 2022

Vote: Yeas: 6 Nays: 0

3rd Reading: 2-14-2022

Vote: Yeas: 5 Nays: 0

PASSED: 2-14-2022

SIGNED: Jill C. McKelvey
Mayor Jill C. McKelvey

ATTEST: Cindee M. Boyd
Clerk/Treasurer Cindee M. Boyd

APROVED: 2-14-2022

SIGNED: James P. [Signature]
President of Council