

BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 5:00 p.m. this 17th day of October 2024, with the following members present:

R. Dee Stone
Joshua S. Gerth
Lexi Lausten

Mrs. Lausten introduced the following resolution and moved its passage:

RESOLUTION NO. 24-1017-10

RESOLUTION AMENDING RESOLUTION NO. 19-1121-05 TO LIMIT THE NUMBER OF MEDICAL MARIJUANA DISPENSARY OPERATORS WITH DUAL USE LICENSES IN THE TOWNSHIP TO ONE.

WHEREAS, Chapter 3796 of the Ohio Revised Code, effective September 8, 2016 (the “Act”) established a medical marijuana control program to be administered by the Ohio Department of Commerce (the “Department”) and the State Board of Pharmacy (the “Pharmacy Board”), and provides, among other things, for the (a) licensure of medical marijuana (i) cultivators, (ii) processors and (iii) retail dispensaries, (b) registration of patients and their caregivers, and (c) establishment of a closed-loop payment processing system to be used only by registered patients and caregivers at licensed dispensaries as well as by all license holders under the Act; and

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

WHEREAS, by passage of Resolution No. 19-1121-05, this Board imposed a prohibition on the retail dispensing of medical marijuana within the unincorporated territory of the Township, effective November 21, 2019 (the “Retail Dispensing Prohibition”); and

WHEREAS, this Board desires to lift and repeal the Retail Dispensing Prohibition with respect to medical marijuana retail dispensaries within the meaning of the Act, but only for the purpose of permitting one RFA II licensee who has applied to the Department’s Division of Cannabis Control for a dual use license in order to be licensed also as an adult use cannabis dispensary operator pursuant to Chapter 3780 of the Ohio Revised Code (the “Adult Use Cannabis Statute”);

Now, therefore, BE IT RESOLVED by the Board of Township Trustees (the "Board") of Anderson Township, Hamilton County, Ohio (the "Township"), as follows:

SECTION 1. For purposes of this Resolution, Ohio-licensed, medical marijuana retail dispensaries shall have the same meaning as in the Act.

SECTION 2. This Board hereby determines that SECTION 2 of Resolution 19-1121-05 is hereby amended and restated in its entirety as follows:

"SECTION 2. Retail dispensaries of medical marijuana licensed pursuant to Section 3796.10 of the Ohio Revised Code, and activities permitted to be undertaken by the holder of a current, valid retail dispensary license issued under Section 3796.20 of the Ohio Revised Code, or any other manner of retail dispensing of medical marijuana authorized by the Act are hereby permitted to locate within the unincorporated area of the Township; provided, that this Board hereby limits the number of such medical marijuana dispensaries operating in the unincorporated territory of the Township to one (1)."

SECTION 3. This Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Section 121.22 of the Ohio Revised Code, except as otherwise permitted hereby.

SECTION 4. This Resolution shall take effect at the earliest date permitted by law.

SECTION 5. To the extent Resolution No. 19-1121-05 is not amended hereby, its provisions shall remain in force. remains in full force and effect.

Mr. Gerth seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mrs. Stone yes Mr. Gerth yes Mrs. Lausten yes

CERTIFICATION

The undersigned, duly elected and acting Fiscal Officer of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 17th day of October, 2024, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

This 17th day of October 2024.

Brian M. Johnson

Brian M. Johnson
Township Fiscal Officer