

Village of Mantua, Ohio
ORDINANCE 2024-51

**AN ORDINANCE IMPOSING AN IMMEDIATE PROHIBITION ON
CANNABIS OPERATORS WITHIN THE VILLAGE OF MANTUA, OHIO, AND
DECLARING AN EMERGENCY.**

WHEREAS, Ohio voters approved State Issue 2 on November 7, 2023, authorizing the cultivation, sale and use of marijuana products for recreational purposes; and

WHEREAS, pursuant to Article II, Section I of the Ohio Constitution, the legislation approved by Ohio voters is incorporated into the Ohio Revised Code as Sections 3780.01 through 3780.99 and became effective on December 7, 2023 (the "Act"); and

WHEREAS, Ohio Revised Code Section 3780.25 grants authority to municipal legislative authorities to adopt an ordinance by a majority vote to prohibit cannabis operators in the Village; and

WHEREAS, the Mantua Village Council is desirous of prohibiting cannabis operators in the Village.

NOW THEREFORE, be it Ordained by the Council of the Village of Mantua, Ohio, two-thirds or more of the members elected thereto concurring, that:

SECTION 1. This Council hereby imposes an immediate prohibition of cannabis operators within the Village of Mantua, Portage County, Ohio.

SECTION 2. The definitions contained in Section 3780.01 of the Ohio Revised Code to define cannabis operators to mean a level I cultivator, a level II cultivator, a level III cultivator, a processor, and a dispensary as those terms are defined in Chapter 3780 of the Ohio Revised Code and are hereby adopted.

SECTION 3. Cannabis operators are hereby prohibited from any operation within the Village of Mantua.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the Village and for the further reason that this Council deems it necessary to formalize its intent to prohibit cannabis operators within the Village at the earliest time possible, and for that reason this Ordinance shall take effect immediately upon proper passage by at least two-thirds of the Mantua Village Council; otherwise it shall take effect and be in force after the earliest period allowed by law.

PASSED AS EMERGENCY, this _____ day of _____, 2024.

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Attest:

Tammy Meyer, Mayor

Maryann Fabian, Fiscal Officer

I hereby certify the above Ordinance was duly posted as required pursuant to Mantua Village Codified Ordinances Section 123.01 for no less than two consecutive weeks, beginning on the ____ day of _____, 2024.

Approved as to Legal Form

Maryann Fabian, Fiscal Officer

William D. Mason, Solicitor