

**ORDINANCE NO. 1724**

**AN ORDINANCE PROHIBITING ADULT USE CANNABIS OPERATORS AND  
MEDICAL MARIJUANA CULTIVATORS, PROCESSORS AND RETAIL  
DISPENSARIES WITHIN THE CORPORATION LIMITS OF THE  
VILLAGE OF COLDWATER, OHIO;  
AND DECLARING AN EMERGENCY**

WHEREAS, on November 7, 2023, voters in Ohio approved State Issue 2, which enacts new Chapter 3780 of the Ohio Revised Code, effective thirty (30) days from the date of the election;

WHEREAS, Chapter 3780 authorizes and regulates recreational adult use cannabis in the State of Ohio; and

WHEREAS, Revised Code 3780.25 authorizes municipalities to prohibit or limit the number of adult use cannabis operators (as defined in Revised Code 3780.01) within the corporation limits of municipalities; and

WHEREAS, medical marijuana is regulated by Chapter 3796 of the Ohio Revised Code; and

WHEREAS, Revised Code 3796.29 similarly authorizes municipalities to prohibit or limit the number of marijuana cultivators, processors, or retail dispensaries licensed under Chapter 3796 within the corporation limits of municipalities; and

WHEREAS, the Council of the Village of Coldwater finds it to be in the best interest of the Village to prohibit adult use cannabis operators licensed under Chapter 3780, as well as cultivators, processors, and retail dispensaries licensed under Chapter 3796, within the corporation limits of the Village.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Coldwater, Ohio, that:.

SECTION 1: All terms used in the Ordinance shall be defined in the same manner as Revised Code Chapter 3796 as it pertains to medical marijuana, and Revised Code Chapter 3780 as it pertains to adult use cannabis. All terms used in this Ordinance but not defined in those Chapters shall be construed, for purposes of this Ordinance, in a manner to be consistent with the use of such terms in both Chapters.

SECTION 2: Adult use cannabis operators, as well as cultivators, processors, and retail dispensaries of medical marijuana are hereby prohibited from operating within the Corporation limits of the Village of Coldwater, Ohio.

SECTION 3: It is the intent of the Council of the Village of Coldwater to prohibit the operations as described in Section 2 above to the maximum extent permitted by Revised Code 3780.25, Revised Code 3796.29, and any other applicable provisions of State law. This Ordinance shall be construed in a manner that gives maximum effect to that intent.

SECTION 4: This Ordinance shall be declared an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the Village of Coldwater, Ohio, and therefore, shall take effect and be in force immediately from and after its passage and approval by the Mayor.

Adopted on this 27<sup>TH</sup> day of NOVEMBER, 2023.

  
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Douglas S. Bertke, Mayor

Approved:

  
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Judy A. Koesters, Law Director

Attest:

  
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Jason Eyink, Fiscal Officer