

Number: 24-05-028

Committee: Health, Safety, & Welfare

**A RESOLUTION RESCINDING RESOLUTION 17-07-045 TO ALLOW THE ISSUANCE AND PROCESSING OF ANY PERMITS OR CERTIFICATES OF OCCUPANCY ALLOWING THE CULTIVATION, PROCESSING OR RETAIL DISPENSING OF MARIJUANA FOR MEDICAL PURPOSES WITHIN THE CITY OF VAN WERT.**

**WHEREAS**, Ohio has authorized the use of marijuana for medical purposes and established the medical marijuana control program through Substitute House Bill 523 and Chapter 3796 of the Revised Code, which became effective September 8, 2016; and

**WHEREAS**, the Act included the adoption of Ohio Revised Code Section 3796.29, which authorized the Van Wert City Council to adopt by Resolution restrictions including, limiting the number of, or the entire prohibition of cultivators, processors, or retail dispensaries within said city; which the City of Van Wert did by passage of Resolution 17-07-045 passed by Van Wert City Council on August 28, 2017 and

**WHEREAS**, the Van Wert City Council finds that it is now in the City of Van Wert's best interests to rescind/repeal Resolution 17-07-045 to allow the issuance and processing of any permits or certificates of occupancy allowing for the cultivation, process or retail dispensing of marijuana for medical purposes.

Now, therefore, be it **ORDAINED** by the Council of the City of Van Wert, Van Wert County, Ohio, with three-fourths of all current members elected thereto concurring, to wit:

**Section 1.** . The City of Van Wert shall rescind/repeal Resolution 17-07-045 which would now allow Medical marijuana cultivators, dispensaries, and processors, as authorized by Chapter 3796 and any rules promulgated thereunder, to operate within the City of Van Wert, subject to any zoning restrictions that may be put in place by the City of Van Wert, Ohio.

**Section 2.** The Van Wert City Council finds and determines that all formal actions of the Van Wert City Council concerning and relating to the passage of this Resolution were adopted in open meetings of the Van Wert City Council and that deliberations of this Van Wert City Council and any committees that resulted in those formal actions were in meetings open to the public in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.

Passed this 29<sup>th</sup> day of May, 2024.

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Thad Eikenbary, Council President

Attest: \_\_\_\_\_  
Lisa K. Hartsock, Clerk of Council

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Kenneth J. Markward, Mayor