

ORDINANCE NO. 83-16

AN ORDINANCE REVISING THE CODIFIED ORDINANCES OF THE CITY OF ASHLAND, OHIO TO PROHIBIT THE CULTIVATION, PROCESSING AND RETAIL DISPENSING OF MARIJUANA FOR THE PURPOSE OF MEDICAL USE IN ALL ZONING DISTRICTS OF THE CITY OF ASHLAND, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, Substitute HB No. 523, passed by the 131st Ohio General Assembly and thereupon signed by Governor Kasich, June 9, 2016, authorized use of marijuana for medical purposes and established the medical marijuana control program; and

WHEREAS, the Act included the adoption of Ohio Revised Code Section 3796.29, which authorized the legislation of a municipal corporation to adopt by Ordinance restrictions including the prohibition of cultivators, processors or retail dispensaries within said municipal corporation; and

WHEREAS, this City Council has determined it to be in the best interest of the community health, safety and welfare to prohibit any cultivation, processing or retail dispensing of marijuana for medical purposes in any form within the city; and

WHEREAS, any provision of the Codified Ordinances of the City of Ashland concerning definitions and uses within the zoning districts of the City which is inconsistent with the provision of this Ordinance shall be revised so as to be consistent with this legislative action; now therefore,

BE IT ORDAINED by the Council of the City of Ashland, State of Ohio, 5 members thereto concurring:

Section 1. The cultivation, processing, or retail dispensing of marijuana for medical purposes is hereby specifically prohibited anywhere within the City of Ashland, Ohio. A violation of this provision shall constitute a misdemeanor of the first degree.

Section 2. Any provision of the Codified Ordinances of the City of Ashland, Ohio concerning definitions and uses within the zoning districts of the City shall be and are hereby revised and adopted so as to be consistent and in conformity with Section 1, hereof.

Section 3. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety, and for the further reason that the health, safety and welfare of the community dictates that the prohibition of cultivation, processing or retail dispensing of marijuana for medical purposes be legislatively prohibited before the Substitute HB No. 523 goes in to effect on September 9, 2016.

Section 4. That this Ordinance shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

Passed: September 6, 2016


Ruth G. Detrow, President of Council

Attest: 
Jody M. Toms, Clerk of Council

Approved: 
Glen P. Stewart, Mayor

Approved as to form & correctness:


Richard P. Wolfe II, Director of Law

Date: September 6, 2016