

December 14, 2023

ECONOMIC DEVELOPMENT COMMITTEE

December 18, 2023

Council Chambers

Following Service Committee

Committee and Council Meetings can be viewed by accessing YouTube

AGENDA

1. Consider **Ordinance No. 23-61** AN ORDINANCE EXEMPTING CURRENTLY LICENSED MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF NEWARK FROM THE RESTRICTIONS OF THE MORATORIUM IMPOSED BY ORDINANCE 23-59 REGARDING ADULT USE MARIJUANA AND DECLARING AN EMERGENCY

1. Other items at the discretion of the chair.

BY _____

AN ORDINANCE EXEMPTING CURRENTLY LICENSED MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF NEWARK FROM THE RESTRICTIONS OF THE MORATORIUM IMPOSED BY ORDINANCE 23-59 REGARDING ADULT USE MARIJUANA AND DECLARING AN EMERGENCY

WHEREAS, City Council passed a complete moratorium on December 4, 2023, on the processing or approval of any application for certificate of zoning clearance, building occupancy permit, or any other permit or approval required under the City's Zoning Code, for any premises or building which would enable the retail sale, dispensing, cultivating, or processing of adult use marijuana for a period of 180 days; and,

WHEREAS, Section Two of Ordinance 23-59 paused the approval of certificates of zoning clearance, building occupancy permit, or any other permit or approval required for any building, structure, use, or change of use to a business owner or operator for the purpose of the retail sale, dispensing, cultivating, or processing of adult use marijuana; and,

WHEREAS, the moratorium also paused existing businesses in the City from expanding in any manner which would allow for the retail sale or dispensing of adult use marijuana; and,

WHEREAS, it is the desire of this Council to allow the current three medical marijuana dispensaries, specifically: (1) Ohio Natural Treatment Solutions, LLC located at 1250 N. 21st Street, Newark, Ohio, (2) Curaleaf Newark, LLC located at 1150 N. 21st Street, Newark, Ohio, and (3) Verdant Creations Newark, LLC, DBA Sunnyside, located at 1546 W. Church Street, Newark Ohio, which are licensed by the State of Ohio and the City of Newark to be exempt from the temporary restrictions imposed by Ordinance 23-59 so long as they are in good standing with the State of Ohio and the City of Newark licensure requirements, in compliance with all laws and regulations of both the State of Ohio and the City of Newark pertaining to the sale and dispensing of medical marijuana and adult use marijuana, and that the request for any type of application, permit, or approval from the zoning inspector for the retail sale or dispensing of adult use marijuana is for their current existing location for which the license was issued by the State of Ohio and City of Newark; and,

WHEREAS, an emergency is hereby declared to exist due to the moratorium becoming effective thirty (30) days from its adoption and in an effort to protect the health, safety, and public welfare of the City and the citizenry pursuant to Article 4.06 of the Charter of the City of Newark, Ohio.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
NEWARK, COUNTY OF LICKING, STATE OF OHIO:**

SECTION ONE: The three medical marijuana dispensaries, specifically: (1) Ohio Natural Treatment Solutions, LLC, located at 1250 N. 21st Street, Newark, Ohio, (2) Curaleaf Newark, LLC, located at 1150 N. 21st Street, Newark, Ohio, and (3) Verdant Creations Newark, LLC, DBA Sunnyside, located at 1546 W. Church Street, Newark, Ohio, which are currently licensed by the State of Ohio and the City of Newark are hereby exempt from the temporary moratorium adopted by this Council by way of Ordinance 23-59 so long as the following requirements are met: The medical marijuana dispensary is in good standing with the State of Ohio and the City of Newark licensure requirements; the medical marijuana dispensary is in compliance with all laws and regulations of both the State of Ohio and the City of Newark as it pertains to the dispensing and sale of medical and adult use marijuana; and that the request for any type of application, permit, or approval from the zoning inspector for the retail sale or dispensing of adult use marijuana is for the current existing location of the dispensary (as listed above) for which the license was issued by the State of Ohio and City of Newark.

SECTION TWO: Any request for a certificate of zoning clearance, building occupancy permit, or any other permit or approval required under the City's Zoning Code will remain subject the rules, regulations, and requirements as set forth in the current zoning code of the City of Newark.

SECTION THREE: That an emergency is hereby declared to exist as set forth in this Ordinance as this matter which impacts the health, safety and public welfare of the City of Newark and that as such, this Ordinance shall be effective immediately upon passage by Council and approval by the Mayor pursuant to Article 4.07 of the Charter of the City of Newark, Ohio.

Passed this _____ day of _____, 2023.

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

DATE FILED WITH MAYOR: _____

DATE APPROVED BY MAYOR: _____

MAYOR

FORM APPROVED: _____
DIRECTOR OF LAW

Prepared by the Office of the Director of Law