VILLAGE OF CEDARVILLE, OHIO
ORDINANCE 2025 –08

ESTABLISHING A ONE-YEAR MORATORIUM ON THE COMMENCEMENT OR ESTABLISHMENT OF ADULT USE CANNABIS OPERATORS, INCLUDING CULTIVATORS, PROCESSORS, AND DISPENSARIES WITHIN THE VILLAGE OF CEDARVILLE, OHIO

WHEREAS, with the passage of State Issue 2, the voters of Ohio made adult cannabis use legal in the State of Ohio;

WHEREAS, Issue 2 enacts new ORC Chapter 3780., which establishes an Adult Use Cannabis Program, to be administered and enforced by a new Division of Cannabis Control with the Ohio Department of Commerce;

WHEREAS, pursuant to new ORC Chapter 3780., the Ohio Department of Commerce has nine (9) months to establish the Division of Cannabis Control and issue rules and guidelines on the Adult Use Cannabis Program;

WHEREAS, new ORC Chapter 3780. also grants to this Council the authority to prohibit or limit the number of adult use cannabis operators, including cultivators, processors, and dispensaries, allowed within the Village;

WHEREAS, the Village cannot reasonably enact regulations or zoning that address adult use cannabis operators until the State issues rules and guidelines for the Adult Use Cannabis Program;

WHEREAS, the Village needs time to study the Program's rules and guidelines, once issued, and time to determine the impact these types of adult use cannabis operators could have on the Village and desires to maintain the status quo while doing so; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the citizens of Cedarville to establish and impose a one-year moratorium on the establishment or commencement of adult use cannabis operators within the Village of Cedarville,

NOW, THEREFORE, THE VILLAGE OF CEDARVILLE HEREBY ORDAINS, a majority of the members of the Village Council present concurring, that:

Section 1. In addition to the foregoing "Whereas" clauses, which are hereby ratified and incorporated as the legislative intent of this Ordinance, it is further the legislative intent of this Ordinance to establish and impose a one-year moratorium on the establishment or commencement of adult use cannabis operators including, but not limited to, cultivators, processors, dispensaries, and any other operator authorized under ORC Chapter 3780., within the Village of Cedarville, Ohio. The purpose of this moratorium is to maintain the status quo while the Village awaits the rules and guidelines of the State's Adult Use Cannabis Program, and while the Village reviews and studies these types of uses and determines whether to prohibit adult use cannabis operators within the Village or to limit the number of adult use cannabis operators permitted within the Villege and, in such case, to enact regulations for the purpose of protecting neighborhoods from negative secondary effects that may be created by such uses.

Section 2. For the purposes of this Ordinance, "adult use cannabis," "adult use cannabis operator," and "marijuana" shall have the same meanings as ORC Section 3780.01.

Section 3. During the time of the moratorium established and imposed by this Ordinance, as specified in Section 4 of this Ordinance, no adult use cannabis operators shall be established or commence operations within the Village of Cedarville, Ohio, nor shall any permits or approvals be issued by the Zoning Division or Building Division for such uses or for any similar use.

Section 4. A moratorium is hereby established and imposed upon the establishment or commencement of any adult use cannabis operator or similar use within the Village of Cedarville for a period of one year, beginning September 1, 2025 and ending September 1, 2026, unless said moratorium is ended earlier by action of this Council. Said moratorium may also be extended by Council, as necessary, by ordinance.

Section 5. Upon the issuance from the State of Ohio of the regulations and guidelines of the State's Adult Use Cannabis Program, the Mayor is hereby directed to study these types of uses and to recommend to this Council, in accordance with the authority granted under ORC Section 3780.25, whether such uses should be prohibited, allowed, or a limited number allowed and, if allowed, the extent and manner in which such uses should be zoned and regulated.

Section 6. In accordance with ORC Section 3780.25(G), this Ordinance does not: (a) limit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity; or (b) prohibit or limit "home grow," as the same is defined in ORC Section 3780.29, that is authorized and conducted in accordance with ORC Chapter 3780.

Section 7. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements.

Section 8. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the citizens of the Village of Cedarville, Ohio, and in order to institute the moratorium at the earliest possible date because Chapter 3780 of the Ohio Revised Code became effective on December 7, 2023.

Introduced: 8/11/25

Adopted: 8/11/25

JOHN CODY, JR., MAYOR

Attest:

DAN HOWDYSHELL, FISCAL OFFICER