

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <u>  X  </u>	Waiver 3-Reading Rule <u>  X  </u>
ORDINANCE NO: 2025-8-10	Yes <u>      </u>	Second Reading <u>      </u>	Yes <u>      </u>
INTRODUCED BY <u>      </u>	No <u>      </u>	Third Reading <u>      </u>	No <u>      </u>

**AN ORDINANCE BY THE COUNCIL OF THE VILLAGE OF BOSTON HEIGHTS,  
IMPOSING A MORATORIUM FOR A PERIOD OF ONE YEAR (365 DAYS) ON THE  
GRANTING OF ANY PERMITS FOR ALLOWING RETAIL DISPENSARIES,  
CULTIVATORS, OR PROCESSORS OF MEDICAL AND RECREATIONAL  
MARIJUANA WITHIN THE VILLAGE OF BOSTON HEIGHTS; AND DECLARING  
AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Chapter 3796 legalizes the cultivating, processing, and dispensing of medical marijuana in the State of Ohio; and

**WHEREAS**, Ohio Revised Code Section 3796.29 authorizes a municipality to limit the number of, or entirely prohibit, cultivators, processors, or retail dispensaries licensed under Ohio Revised Code Chapter 3796 in the Village of Boston Heights; and

**WHEREAS**, State Issue 2 was approved by Ohio voters, which enacted Ohio Revised Code Chapter 3780, legalizing adult use of cannabis and allowing recreational use of marijuana in the State of Ohio; and

**WHEREAS**, Ohio Revised Code Chapter 3780 legalizes the cultivating, processing, and dispensing of recreational marijuana in the State of Ohio; and

**WHEREAS**, Ohio Revised Code Section 3780.29 authorizes a municipality to limit the number of, or entirely prohibit, cultivators, processors, or retail recreational dispensaries licensed under Ohio Revised Code Chapter 3780 in the Village of Boston Heights; and

**WHEREAS**, due to these new regulations, the issue of commercial cultivating, processing, and dispensing came to the Village Council's attention; and

**WHEREAS**, Village Council seeks additional time to again study whether to limit or entirely prohibit the cultivation, processing and/or retail dispensing of medical and recreational marijuana; or, alternatively, to develop and implement regulations regarding the possible location and operation of medical and recreational marijuana-related businesses within the Village of Boston Heights, including medical and/or recreational marijuana-related businesses for retail dispensaries, cultivators, and processors; and

**WHEREAS**, Village staff will require time to review and make recommendations on zoning, prohibition and/or limitations of medical and recreational marijuana so that any necessary regulations conform to the goals of the Village of Boston Heights and help ensure the public peace, health, safety, and welfare of its citizens; and

**WHEREAS**, the Village of Boston Heights may desire to update its regulations regarding the zoning, prohibition and/or limitations of medical and recreational marijuana within the Village since the current Village guidelines do not adequately direct the permitting of such uses; and

**WHEREAS**, the Village of Boston Heights seeks the moratorium in order to give time for the rules to be put in place on the granting of permits for medical and recreational marijuana-related businesses in the Village of Boston Heights and will allow Village Council time to accomplish the Village's goals and help ensure the public peace, health, safety, and welfare of its citizens.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

**Section 1.** A one-year (365-day) moratorium is hereby imposed for the issuance and processing of any permits or other official approvals for cultivators, processors, and retail dispensaries of medical or recreational marijuana. The purpose of this moratorium is to allow Village staff time to continue to study the current law and rules, and the related issues; and then determine whether to limit or entirely prohibit cultivators, processors, and retail dispensaries of medical and/or recreational marijuana in the Village of Boston Heights; and to prepare any necessary and related regulations.

**Section 2.** No permits for cultivators, processors, or retail dispensaries of medical and/or recreational marijuana shall be issued or processed by the Village of Boston Heights during the one-year (365-day) moratorium.

**Section 3.** Village Council further finds that the moratorium herein is reasonable, necessary, and will allow the Village Mayor, Village Engineer, Solicitor, and Village Planning Commission to propose and initiate action to address the health, safety, and general welfare issues contemplated herein.

**Section 4.** For the purpose of this Ordinance, the definitions "cultivators," "processors," "retail dispensaries," and "dispensaries" are given the same definition as those found in Ohio Revised Code Chapters 3780 and 3796.

**Section 5.** That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

**Section 6.** That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

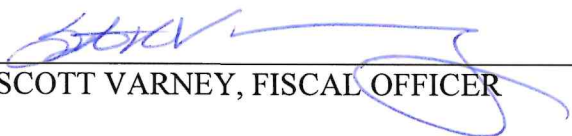
**Section 7.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety within the Village, as set forth in this Ordinance, including its recitals, and shall, therefore, take effect and be in force from and immediately after its passage.

PASSED:

  
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DAVID MACCARONE, COUNCIL PRESIDENT

ATTEST:

I, SCOTT VARNEY, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing **Ordinance 2025-8-10** was duly passed by the Council of the Village of Boston Heights, Summit County, Ohio at a meeting of Council on this **12<sup>th</sup> day of August 2025.**

  
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SCOTT VARNEY, FISCAL OFFICER

