

ORDINANCE NO. 12-2017

Enacting Section 1123.491 and Amending Section 1147.01 of the Codified Ordinances of the City to Define Medical Marijuana and Prohibit the Cultivation, Processing and Retail Dispensing of Medical Marijuana in any Zoning District Within the City.

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

WHEREAS, the legislation included the adoption of Ohio Revised Code §3796.29, which authorizes municipal corporations to adopt an ordinance prohibiting cultivators, processors or retail dispensaries within their respective municipal corporations; and,

WHEREAS, this 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.

NOW THEREFORE; BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That Section 1123.491 of the Codified Ordinances of the City be enacted to read as follows:

**1123.491 MEDICAL MARIJUANA.**

“Medical marijuana” means marihuana, as defined in Ohio Revised Code §3719.01, that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose. In accordance with Section 1147.01, the cultivation, processing and dispensing of medical marijuana shall not be permitted in any zoning district within the City.

SECTION 2. That Section 1147.01 of the Codified Ordinances of the City be amended to add at the end of that Section the following sentence:

The cultivation, processing and dispensing of medical marijuana, as defined in Section 1123.491, shall not be permitted in any zoning district within the City.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington Ohio.

Passed April 3, 2017

/s/ W. Scott Myers  
President Pro Tem of Council

Attest:

/s/ D. Kay Thress  
Clerk of Council

Introduced March 20, 2017  
P.H. April 3, 2017  
Effective June 5, 2017