

RESOLUTION NO. 03132024B

**A RESOLUTION PROHIBITING MEDICAL MARIJUANA CULTIVATION, PROCESSING,
AND RETAIL DISPENSING WITHIN THE UNINCORPORATED AREA OF ELKRUN
TOWNSHIP, COLUMBIANA COUNTY.
(R.C. 3796.29)**

The Board of Trustees of Elkrun Township, Columbiana County, Ohio, met in Regular session on the 13th day of March, 2024, at the office of the Board.

Trustee Perrino moved the adoption of the following Resolution:

WHEREAS, Ohio Revised Code Chapter 3796 authorizes and regulates the Medical Marijuana Control Program in the state of Ohio; and

WHEREAS, R.C. 3796.29 authorizes a board of township trustees, by resolution, to prohibit medical marijuana cultivators, processors, or retail dispensaries licensed under R.C. Chapter 3796 within the unincorporated territory of the township; and

WHEREAS, the Board of Trustees of Elkrun Township now finds it to be in the best interest of the Township to prohibit medical marijuana cultivators, processors, and retail dispensaries licensed under R.C. Ch. 3796 within the unincorporated area of the Township;

NOW THEREFORE, be it resolved by the Board of Trustees of Elkrun Township, Columbiana County, Ohio, as follows:

1. All terms used in this resolution shall be defined in the same manner as R.C. Chapter 3796 as it pertains to medical marijuana. All terms used in this resolution but not defined in Chapter 3796 shall be construed, for purposes of this resolution, in a manner to be consistent with the use of such terms in Chapter 3796.
2. Medical marijuana cultivators, processors, and retail dispensaries, licensed under R.C. Chapter 3796, shall be prohibited within the unincorporated of Elkrun Township.
3. This Resolution does not prohibit, or 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.

4. It is the intent of the Board of Trustees to prohibit the operations described in Section 2 above to the maximum extent permitted by R.C. 3796.29, and any other applicable provisions of state law. This resolution shall be construed in a manner that gives maximum effect to that intent.

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Trustee Seachrist seconded the motion, and the roll being called upon its adoption the vote resulted as follows:

Trustee Sweeney _____ voted aye,
Trustee Perrino _____ voted aye,
Trustee Seachrist _____ voted aye.

Adopted March 13, 2024.

Tracey Wonner, Fiscal Officer
Elkrun Township
Columbiana County, Ohio