



## CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

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The City of North Ridgeville Legislative Bulletin contains Ordinances and Resolutions acted upon by City Council. If noted within Ordinance or Resolution text, supplemental and supporting documents, such as exhibits, are available, upon request, by contacting Tara L. Peet, MMC at the Clerk of Council's office, 7307 Avon Belden Road, North Ridgeville, OH 44039, (440) 353.1508.

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### ORDINANCE(S)

**5469-2017 AN ORDINANCE ADOPTING AND APPROVING THE TAX BUDGET OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE YEAR BEGINNING JANUARY 1, 2018 IN THE FORMAT PRESCRIBED BY THE LORAIN COUNTY AUDITOR AND SUBMITTING SAME TO THE LORAIN COUNTY AUDITOR AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Auditor has compiled a tax budget for the City of North Ridgeville, Ohio for the fiscal year beginning January 1, 2018 in a format prescribed by the Lorain County Auditor for said budget year and attached hereto as **Exhibit "A"**.

**WHEREAS**, said budget has been made conveniently available for public inspection for at least ten (10) days and being on file in the office of the Auditor.

**WHEREAS**, City Council held a public hearing on said budget of which public notice was given by publication.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO:**

**SECTION 1.** The tax budget of the City of North Ridgeville, Ohio for the year beginning January 1, 2018, compiled by the Auditor in a format prescribed by the Lorain County Auditor and submitted to Council; copies of which have been and are on file in the office of the Auditor, be and the same is hereby accepted and approved as the official budget of the City of North Ridgeville, Ohio for the year beginning January 1, 2018.

**SECTION 2.** The Auditor is hereby authorized and directed to send a copy of said budget and Ordinance to the Auditor of Lorain County, Ohio.

**SECTION 3.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to meet the county filing deadline of July 20, 2017. Wherefore, this Ordinance shall

**5469-2017 Continued**

take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5470-2017 AN ORDINANCE CREATING CHAPTER 875 "MEDICAL MARIJUANA" FOR THE REGULATION OF BUSINESS ACTIVITY INVOLVING THE CULTIVATION, PROCESSING AND DISPENSING OF MEDICAL MARIJUANA.**

**WHEREAS**, effective on June 8, 2016, House Bill 523 established the State of Ohio's regulatory scheme for the legalization of the cultivation, processing, dispensing and use of marijuana for defined medical purposes; and

**WHEREAS**, Ohio Revised Code §3796, as enacted pursuant to House Bill 523 to provide for the regulation of medical marijuana activity in the State (specifically at O.R.C. §3796.29), grants the legislative authority of a municipal corporation the power to adopt legislation regulating or prohibiting medical marijuana activity within the territory of the municipal corporation; and

**WHEREAS**, on November 21, 2016, the elected City Council of the City of North Ridgeville adopted a one hundred and eighty (180) day moratorium on the establishment of medical marijuana businesses within the municipality in order to provide an opportunity to review the State's evolving regulation of the business activity, and to evaluate the City's interests concerning the introduction of the permitted businesses in the municipality; and

**WHEREAS**, on May 1, 2017, City Council studied the issue of medical marijuana business activity in an open meeting of the Committee of the Whole; and

**WHEREAS**, City Council and the City Administration take notice of the fact that the cultivation, processing, dispensing, prescribing and possession of marijuana remains defined as illegal activity under Federal Law (Federal Controlled Substances Act, 21 U.S.C. Section 841), and find that the conflict in law presented causes it to serve the City of North Ridgeville's best interest to exercise the City's option provided explicitly by State statute to adopt a comprehensive ban on medical marijuana business activity within the City's boundaries; and

**WHEREAS**, City Council finds it serves the interests of the municipality to adopt this chapter of the codified ordinances in order to protect public health, safety and welfare by exercising local control of medical marijuana activity in the municipality; and

**WHEREAS**, City Council further finds that the cultivation, distribution, possession and consumption of marijuana for non-medical recreational purposes remains adequately regulated as criminal offenses under the state code and the North Ridgeville codified ordinances, therefore it is unnecessary to adopt duplicate provisions for the imposition of criminal sanctions for the violation of the terms enacted by this ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:**

**SECTION 1.** Chapter 875 of the North Ridgeville Codified Ordinances shall be established and read as follows:

**Chapter 875: Medical Marijuana Businesses**

- A. Any activity relating to the cultivation, processing, dispensing or distribution of medical marijuana, for business or nonprofit purposes, is prohibited within the territorial boundaries of the City or North Ridgeville, regardless of zoning district classification.
- B. As prohibited activity pursuant to the authority granted to the City of North Ridgeville by the Ohio Revised Code, any medical marijuana activity described in N.R.C.O. Chapter 875(A) shall be subject to prosecution pursuant to the applicable criminal provisions of the North Ridgeville Codified Ordinances as well as the Ohio Revised Code.
- C. No building permit or certificate of occupancy may be issued by the City to any person or entity seeking to commence or engage in any activity described in N.R.C.O. Chapter 875(A).
- D. A patient with qualifying conditions and having lawfully registered with the State of Ohio pursuant to the provisions of O.R.C. §3796.08 may engage in treatment related activities defined as lawful under Chapter 3796 of the Ohio Revised Code, subject to all regulations and restrictions stated in that statute.
- E. Public Nuisance Declared. Engaging, facilitating or permitting any activities described in N.R.C.O. Chapter 875(A) or otherwise prohibited by this chapter constitute a public nuisance subject to abatement by civil action. Any civil proceeding instituted to abate the nuisance activity may be brought concurrently with administrative or criminal action based upon the same activity.

**SECTION 2.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

**SECTION 3.** This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

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**RESOLUTION(S)**

None.

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### **CITY COUNCIL MEETING DATES FOR 2017**

January 3, 2017	January 17, 2017	February 6, 2017
February 21, 2017	March 6, 2017	March 20, 2017
April 3, 2017	April 17, 2017	May 1, 2017
May 15, 2017	June 5, 2017	June 19, 2017
July 5, 2017	July 17, 2017	August 7, 2017
August 21, 2017	September 5, 2017	September 18, 2017
October 2, 2017	October 16, 2017	November 6, 2017
November 20, 2017	December 4, 2017	December 18, 2017

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