

TOWNSHIP OF CANAAN, MORROW COUNTY, OHIO

Resolution No. 5-8-17-1

PROHIBITING THE CULTIVATION, PROCESSING, AND RETAIL DISPENSING OF MEDICAL MARIJUANA WITHIN THE TOWNSHIP OF CANAAN, MORROW COUNTY, OHIO, AND ADDRESSING THE USE OF MEDICAL MARIJUANA IN THE WORKPLACE.

WHEREAS, the September 8, 2016 enactment of Chapter 3796 of the Ohio Revised Code authorized the cultivation, processing, and retail dispensing of medical marijuana in the State of Ohio;

WHEREAS, rules and standards for state licensing of medical marijuana cultivation, processing, and retail dispensing are still in development and there remains a federal prohibition on the cultivation, sale and possession of marijuana;

WHEREAS, Ohio Revised Code section 3796.28 expressly provides an employer with rights regarding medical marijuana in the workplace, which rights Council deems it prudent to utilize; and

WHEREAS, given the uncertainty of the practical aspects of medical marijuana cultivation, processing, and retail dispensing including, without limitation, security and the effect on property values adjacent to such establishments, in addition to marijuana's legal status under federal law,

The Board of Trustees deems it necessary to protect the public peace, health, welfare, and safety by exercising its powers conferred pursuant to the Ohio Constitution and those expressly granted by Ohio Revised Code section 3796.29 permitting the Township to prohibit the cultivation, processing, and or/retail dispensing of medical marijuana.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF CANAAN TOWNSHIP, MORROW COUNTY, STATE OF OHIO, that:

SECTION 1 :

In accordance with Ohio Revised Code Section 3796.28, the township does not permit and will not accommodate an employee's use, possession, or distribution of medical

marijuana and the township will continue to enforce its drug testing and drug-free workplace policies in effect. Further, the Township expressly intends to avail itself of all other rights and remedies set forth in Ohio Revised Code section 3796.28 including without limitation those set forth in Ohio Revised Code section 3796.28 (A)(2), which permits an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because of that person's use, possession, or distribution of medical marijuana.

SECTION 2:

In accordance with Ohio Revised Code Section 3796.26, the cultivation, processing, and/or retail Dispensing of medical marijuana within Canaan Township, Morrow County, Ohio is and shall be prohibited.

SECTION 3:

The passage of this Resolution and all deliberations relating of the passage of this Resolution were held in open meetings in accordance with the provisions of Ohio Revised Code Section 121.22

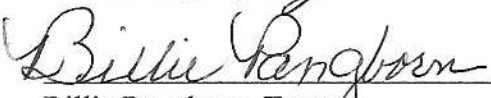
SECTION 4:

This Resolution shall be in full legal force and effect from and after the earliest period allowed by law.

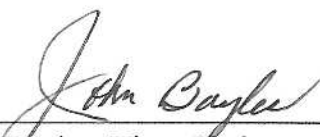
Passed by the Board of Trustees, Canaan Township, Morrow County, Ohio, this 8th day of May, 2017.




Edward Sayers, Chair



Billie Pangborn, Trustee



John Bayles, Vice- Chair



Deana Detwiler, Fiscal Officer