

**ORDINANCE NO: 2025-01**  
**SPONSOR: MAYOR YEARGIN**  
**INTRODUCED: JANUARY 14, 2025**

**ASSIGNED TO: \_\_\_\_\_**

**AN ORDINANCE PROHIBITING THE ESTABLISHMENT AND OPERATION OF ANY BUSINESS OR COMMERCIAL ENTERPRISE WITHIN THE CORPORATE LIMITS OF THE CITY OF GREEN, LICENSED AS AN ADULT USE CANNABIS OPERATOR PURSUANT TO OHIO REVISED CODE SECTION 3780.**

WHEREAS, Ohio voters passed Issue 2 to enact Chapter 3780 of the Ohio Revised Code effective December 7, 2023, which legalized and provided for the regulation of “adult use cannabis” as defined in Section 3780.01 of the Revised Code, including the sale, processing, cultivation and distribution by adult use cannabis operators; and

WHEREAS, Section 3780.25 of the Revised Code gives this Council the authority to adopt an ordinance to prohibit, or limit the number of adult use cannabis operators licensed under Chapter 3780 of the Revised Code within the city; and

WHEREAS, pursuant to the City Charter, as well as the Ohio Constitution, this Council also has the inherent power to enact planning, zoning and business regulations and laws that further the health, safety, welfare, comfort, and peace of its citizens, including restricting or prohibiting certain business uses; and

WHEREAS, this Council has determined that prohibiting adult use cannabis operators within the City of Green is necessary to protect the health, safety, welfare, comfort, and peace of the citizens of the City of Green; and

WHEREAS, this Ordinance should be declared an emergency measure necessary for the immediate preservation of the health, safety, and public welfare of the City of Green because Chapter 3780 of the Ohio Revised Code went into effect on December 7, 2023.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:**

**SECTION ONE:**

Pursuant to Chapter 3780.25 of the Ohio Revised Code, as a business regulation and land use matter, and for the health, safety, and welfare of the residents of the City of Green, adult use cannabis operations are prohibited in all zoning districts anywhere within the City of Green, Ohio.

**SECTION TWO:**

- (A) Adult Cannabis Operator shall have the same meaning as Ohio Revised Code Section 3780.01 (A)(2), effective December 7, 2023.
- (B) No personal or entity licensed as an adult cannabis operator under Chapter 3780 of the Ohio Revised Code shall open, establish, or operate any business or commercial enterprise of any kind within the corporate limits of the City.

- (C) No zoning permit or other administrative approval shall be issued by any administrative official of the City, nor shall any variance be approved or granted to any person or entity for operation of a business or commercial enterprise as an adult cannabis operator within the corporate limits of the City.
- (D) Any use or condition caused or permitted to exist in violation of any of the provisions of this section shall be and declared to be a public nuisance and may be abated by the City.

**SECTION THREE:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION FOUR:**

Green City Council declares this to be an emergency immediately necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of Green for the reason that this action is necessary to enable the Cit to fully study the impacts of Chapter 3780 of the Revised Code and its effects on the City and the health, safety and welfare of its citizens, and provided it receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force after its approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: \_\_\_\_\_, 2025

\_\_\_\_\_  
Nichole Messner, Clerk of Council

\_\_\_\_\_  
Jeff Noble, Council President

APPROVED: \_\_\_\_\_, 2025

\_\_\_\_\_  
Rocco P. Yeargin., Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2025

ON ROLL CALL:   Babbitt \_\_\_\_\_ DeVitis \_\_\_\_\_ Speight \_\_\_\_\_ Miller \_\_\_\_\_  
                          Meager \_\_\_\_\_ Neugebauer \_\_\_\_\_ Noble \_\_\_\_\_

PUBLICATION CERTIFICATION

I, Nichole Messner, Clerk of Council of the City of Green, County of Summit and State of Ohio, whose custody the original files and records of said council are required to be kept by the laws of the State of Ohio, do hereby certify that the above legislation was duly published in the *Southside Leader* on \_\_\_\_\_ and \_\_\_\_\_, 2025.

\_\_\_\_\_  
Nichole M. Messner, Clerk of Council

1/7/2025 Approved as to form and content by Lisa Carey Dean, Director of Law \_\_\_\_\_