

**VILLAGE OF WESTFIELD CENTER, OHIO**

**ORDINANCE 2024-05**

**AN ORDINANCE AMENDING SECTION  
624.16 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF  
WESTFIELD CENTER, OHIO TO PROHIBIT ADULT USE  
CANNABIS OPERATORS PERMITTED UNDER  
CHAPTER 3780 OF THE OHIO REVISED CODE**

**WHEREAS**, Chapter 3796 of the Ohio Revised Code provides for the State of Ohio to license cultivators, processors and retail dispensaries of medical marijuana with Section 3796.29 of the Ohio Revised Code providing that the legislative authority of a municipal corporation may adopt an ordinance prohibiting or limiting the number of such cultivators, processors or retail dispensaries licensed under Chapter 3796 within the municipal corporation; and,

**WHEREAS**, on September 6, 2016 Council adopted Ordinance No. 2016-04 to establish section 624.16 of the Codified Ordinances of the Village of Westfield Center prohibiting cultivators, processors or retail dispensaries for medical marijuana within the Village of Westfield Center, Ohio;

**WHEREAS**, Chapter 3780 of the Ohio Revised Code provides for the State of Ohio to license adult use cannabis operators providing that the legislative authority of a municipal corporation may adopt an ordinance prohibiting or limiting the number of adult use cannabis operators permitted under 3780 within the municipal corporation; and,

**WHEREAS**, the Council for the Village of Westfield Center, Ohio, with the support of the Chief of Police and Law Director, has determined it to be in the best interest of the health, safety and general welfare of residents of the Village of Westfield Center, Ohio to exercise its express authority pursuant to Section 3780.25 of the Ohio Revised Code to prohibit any and all cultivation, processing or retail dispensing of marijuana for medicinal purposes or otherwise within the Village of Westfield Center, Ohio, and;

**WHEREAS**, due to the need to protect the public peace, health, safety and general welfare of residents an emergency is present.

**NOW THEREFORE**, be it ordained by the Council for the Village of Westfield Center, Ohio that:

1. Section 624.16 of the Codified Ordinances of the Village of Westfield Center is hereby amended and completely restated to read as follows:

624.16 PROHIBITION ON MEDICAL MARIJUANA AND ADULT  
USE CANNABIS CULTIVATORS, PROCESSORS AND/OR RETAIL  
DISPENSARIES

- a) No person shall, within the jurisdictional boundaries of the Village of Westfield Center cultivate, process or engage in the retail sale of adult use cannabis or marijuana for medical purposes, whether licensed by the State of Ohio pursuant to Ohio Revised Code Section 3780 or Ohio Revised Code Section 3796 or otherwise.
- b) In the event of a conflict between this Section and Section 624.025 of the Codified Ordinances, this Section shall control.
- c) Whoever commits a violation of Section a) is guilty of the illegal cultivation, processing or retail sale of adult use cannabis or medical marijuana.
- d) The cultivation, processing or retail sale of adult use cannabis or medical marijuana in violation of this Section is a misdemeanor of the first degree.

(RC 3780.25; RC 3796.29)

- 2. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare to prevent the deleterious effects that cultivation, processing or retail sale could have on the community. This legislation shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise; at the earliest opportunity provided for by law.

Passed: August 6, 2024

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Thomas Horwedel, Mayor

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Deborah Runser, Fiscal Officer