

ORDINANCE NO. 2025-23
AMENDING CHAPTER 116 ENTITLED "MEDICAL MARIJUANA" OF
THE CODIFIED ORDINANCES OF SILVERTON, OHIO AND
DECLARING AN EMERGENCY

WHEREAS, Sub. HB No. 523, passed by the 131st Ohio General Assembly and signed by Governor John Kasich, June 9, 2016, and effective September 8, 2016, authorized use of marijuana for medical purposes and established the medical marijuana control program; and

WHEREAS, Issue 2, now Chapter 3780 of the Ohio Revised Code, passed by a majority of Ohio voters on November 7, 2023, and effective December 7, 2023, authorized the use of marijuana for recreational purposes; and

WHEREAS, Article XVIII, Section 3, of the Ohio Constitution grants the powers of local self-government and home rule authority to enact a local prohibition of marijuana facilities as hereinafter provided; and

WHEREAS, Silverton Village Council adopted Chapter 116, "Medical Marijuana" of the Codified Ordinances of Silverton on August 24, 2017, which prohibited cultivators, processors, and retail dispensaries of medical marijuana; and

WHEREAS, by Ordinance 2024-08, Village Council determined it to be in the best interest of the community health, safety, and welfare also to prohibit any adult use cannabis operators within the Village; and

WHEREAS, Village Council, after further study and evaluation of other dispensaries in the area, determines that it is in the best interest of the community, health, safety, and welfare to allow one dispensary in the Silverton Renaissance District; and

WHEREAS, Village Council wishes to amend Chapter 116 of the Codified Ordinances of Silverton to allow one dispensary in the Renaissance District


NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SILVERTON, OHIO, THAT:

SECTION I. To amend a section: "Section 116.02(B) of the Municipal Code of Ordinances, which is to be added to and amends the Municipal Code of Ordinances, reads as follows:"

See attached exhibit.

SECTION II. This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the Village of Silverton and its residents; the reason for the emergency being the need to enact such prohibitions at the earliest possible time. Therefore, this ordinance shall take effect and be in force from and after its passage.

Passed this 26th day of June, 2025.


John A. Smith, Mayor



Jack Cameron, Village Manager

Approved as to form:


Bryan E. Pacheco, Village Solicitor

CERTIFICATION:

I, Meredith L. George, Clerk of Council of the Village of Silverton, County of Hamilton, State of Ohio; do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Ordinance No. 2025-23 has been duly made by posting true copies in two (2) places that are accessible by the public in said municipality, as determined by Council as follows: 1) Silverton Town Hall lobby area and Council Chambers foyer; and 2) Silverton's official website. Said posting was for a period of fifteen days commencing June 27, 2025.


Meredith L. George
Clerk of Council of Silverton, Ohio

VILLAGE OF SILVERTON, OHIO
CHAPTER 116: MARIJUANA

Sections

116.01 DEFINITIONS

116.02 PROHIBITION

116.99 PENALTY

§ 116.01 DEFINITIONS.

(A) "Marijuana", "medical marijuana", "cultivators", "processors" and "retail dispensaries" as used in this chapter shall have the same meanings as defined or described in chapter 3796 of the Ohio Revised Code.

(Ord. 17-3564. Passed 8-24-17.)

(B) "Adult use cannabis" and "adult use cannabis operator" shall have the same meanings as defined or described in Chapter 3780 of the Ohio Revised Code.

(Ord. 2024-8. Passed 4-18-24.)

§ 116.02 PROHIBITION.

(A) Cultivators, processors, and retail dispensaries of medical marijuana, including all cultivation, processing, and retail dispensing of medical marijuana, whether licensed under Chapter 3796 of the Ohio Revised Code or not, are prohibited within the Corporate limits of the Village of Silverton, Ohio.

(Ord. 17-3564. Passed 8-24-17.)

(B) Except for one dispensary, which is allowed in the Village in the Renaissance District, or the C-1 Neighborhood Commercial District, or the C-2 Highway Commercial District, adult use cannabis operators whether licensed under Chapter 3780 of the Ohio Revised Code or not, are prohibited within the Corporate limits of the Village of Silverton, Ohio.

(Ord. 2024-8. Passed 4-18-24.)

§ 116.99 PENALTY.

Any person, firm or corporation who violates any provision of this chapter shall be guilty of a misdemeanor of the third degree. Each day such violation continues shall constitute a separate offense.

(Ord. 17-3564. Passed 8-24-17.)