

RECORD OF LEGISLATION

No. 05-27-2026

Passed 5-05, 20 26

A RESOLUTION EXTENDING THE MORATORIUM ON THE RETAIL CULTIVATION, PROCESSING, AND DISPENSING OF ADULT-USE AND MEDICAL MARIJUANA IN THE CITY OF CIRCLEVILLE AND DECLARING AN EMERGENCY.

WHEREAS, State Issue 2, approved by a majority of voters in the November 7, 2023, Ohio general election, legalized the commercial sale, recreational use, and home cultivation of marijuana for persons 21 years old and older (“Adult-Use Marijuana”); and

WHEREAS, State Issue 2 created the Ohio Division of Cannabis Control and required this Division to promulgate rules establishing standards and procedures for the commercial sale, recreational use, and home cultivation of Adult-Use Marijuana within nine months of its passage; and

WHEREAS, pursuant to home rule authority found in Article XVIII of the Constitution of the State of Ohio and the Ohio Revised Code, municipalities have the inherent power to enact planning, zoning, and business regulation laws that further the health, safety, welfare, comfort, and peace of the citizens of the municipality, including restricting, prohibiting and/or regulating certain business uses; and

WHEREAS, ORC § 3780.25, enacted by State Issue 2, affirms that municipalities may prohibit or limit the number of Adult-Use Marijuana operators within their corporation limits; and

WHEREAS, Chapter 3796 of the Ohio Revised Code permits the cultivation, processing, and establishment of medical marijuana dispensaries; and

WHEREAS, Section 3796.29 of the Ohio Revised Code authorizes a municipality to adopt an ordinance limiting the number of, or entirely prohibiting, cultivators, processors, or retail dispensaries of medical marijuana; and

WHEREAS, the Circleville City Council previously approved a one-year moratorium on the cultivation, processing, and retail sale of adult use cannabis within the City of Circleville through the passage of Resolution 08-54-2024 on August 6, 2024, for the extension of the moratorium for an additional six (6) months from its August 6, 2025, expiration date, so that it shall expire on February 6, 2026 through the passage of Resolution 08-64-2025 and for the extension of the moratorium for an additional ninety (90) days from its February 6, 2026, expiration date, so that it shall expire on May 6, 2026 through the passage of Resolution 01-06-2026; and

WHEREAS, the Circleville City Council desires additional time to research and study whether to limit or prohibit the cultivation, processing, and/or dispensing of adult use cannabis, or, alternatively, to develop and implement regulations regarding the possible location and operation of cannabis related businesses within the City of Circleville, including cannabis cultivators, processors, and adult use dispensaries; and

WHEREAS, the Circleville City Council believes that an extension of the moratorium on cannabis related business is necessary to ensure the health, safety, and welfare of the residents of the City of Circleville and for the extension of the moratorium for an additional ninety (90) days from its May 6, 2026, expiration date, so that it shall expire on August 4, 2026.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, COUNTY OF PICKAWAY, OHIO AS FOLLOWS:

SECTION I. Pursuant to the authority set forth in the Ohio Revised Code Section 3780.25, the City of Circleville Council hereby extends the existing moratorium for a term of ninety (90) days with respect to the authorization or establishment of any cannabis-related businesses

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within the City of Circleville, including, but not limited to, cannabis-related cultivators, processors, and/or adult use dispensaries.

SECTION II. The moratorium established by Resolution 08-54-2024, the initial extension established by Resolution 08-64-2025 and the second extension established by Resolution 01-06-2026 is extended until August 4, 2026, or until legislation created as a result of the moratorium takes effect, whichever occurs first.

SECTION III. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Circleville; the emergency being to avoid unnecessary delay in the application and contracting process, wherefore, this resolution shall be in full force and effective immediately upon its passage.

PASSED: 5-5-2026
DATE

Sheryl Weiss
PRESIDENT OF COUNCIL
President Pro Tempore

ATTEST: Melissa J. Moore
CLERK OF COUNCIL

APPROVED: 5-5-2026
DATE

Michelle J. Blanton
MAYOR

APPROVED AS FORM:

KK
KENDRA C. KINNEY - LAW DIRECTOR