

**ORDINANCE OF THE COUNCIL OF THE VILLAGE OF RUSSELLS POINT,  
LOGAN COUNTY, OHIO**

**ORDINANCE NUMBER: 25-1264**

**PASSED: \_\_\_\_\_**

**AN ORDINANCE IMPOSING AN INDEFINITE MORATORIUM ON THE  
ESTABLISHMENT, DEVELOPMENT AND CONSTRUCTION OF ANY BUILDING,  
STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE  
CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA  
AND/OR ADULT USE MARIJUANA WITHIN THE VILLAGE AND DECLARING AN  
EMERGENCY**

WHEREAS, the Village of Russells Point deems an ordinance is necessary for the health, safety, and well-being of its residences; and

WHEREAS, on November 7, 2023, Ohio voters passed Issue 2 to enact Chapter 3780 of the Ohio Revised Code; and

WHEREAS, Chapter 3780 of the Ohio Revised Code, among other things, creates a Division of Cannabis Control; authorizes that Division to regulate, investigate, and penalize adult use cannabis operators, adult use testing laboratories, and individuals required to be license; legalizes and regulates the cultivation, processing, sale, purchase, possession, home grow and use of cannabis by adults at least twenty-one (21) years of age; creates additional protections for individuals who engage in permitted adult use cannabis conduct; prohibits certain local government entities from limiting specific research, levying a tax, or charge on adult use operations, their owner, or their property not generally charged on their business, and prohibits certain local government entities from prohibiting or limiting adult use cannabis home grow or prohibiting or restricting an activity authorized by Chapter 3780; and

WHEREAS, Chapter 3870 also permits the legislative authority of a municipal corporation to prohibit or limit the number of adult use cannabis operators permitted under Chapter 3870 within the municipal corporation; and

WHEREAS, the Village passed a six-month moratorium on the establishment, development and construction of any building, structure, use or change of use that would enable the cultivation, processing, or retail sale of medical marijuana and/or adult use marijuana within the Village in Ordinance Number 25-1257 which expires on September 8, 2025 and which calls for said moratorium to be revisited on or before said date.

WHEREAS, the Council, having considered the new legislation, the applicable state codes, regulations, and local ordinances in order to formulate a proper local response to Ohio Revised Code Chapter 3780, have decided to indefinitely prohibit all marijuana dispensaries from operating with the Village, regardless of whether for adult use or for medicinal purposes, having determined that such a prohibition would be in the best interest of the health, safety, and general welfare of the community; and

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF RUSSELLS POINT, LOGAN COUNTY, OHIO, AT LEAST A MAJORITY THEREOF CONCURRING THAT:**

Section 1. The cultivation, processing or retail distribution of marijuana, whether medical or for adult use, whether commercial or home grown, as authorized by the Ohio Revised Code, is hereby and herein prohibited in all zoning districts in the Village of Russells point pursuant to the authority granted by Ohio Revised Code 3796.29.

Section 2. No zoning clearance, permit or other administrative approval shall be approved or issued by any administrative official of the Village of Russells point, nor shall any variance be approved or granted to any person, entity or other applicant desiring or intending to operate a business or commercial enterprise for the cultivation, processing, or retail sale of medical or adult use marijuana within the corporate limits of the Village of Russells Point

Section 3. Any use or condition caused or permitted to exist in violation of this Ordinance shall be and here is declared to be a public nuisance and may be abated by the Village of Russells Point.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with all legal requirements, including Section 121,.22 of the Ohio Revised Code.

Section 5. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Russells Point, the immediate emergency being the necessity to create regulations related to prohibiting the dispensing of medical and/or adult use marijuana in the Village.

Section 6. Therefore, this Ordinance shall be in full force and effect immediately upon its passage; otherwise, it shall take effect and be in force after the earliest period allowed by law.

Passed in Council this 18 day of August, 2025.

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John Huffinan, Mayor

Approved as to form this \_\_\_\_ day of \_\_\_\_\_, 2025.

/s/ Daniel L. Bey, Esq.  
Village Solicitor