

24-128

BILL #24- 125 \*Amended

ORDINANCE # \_\_\_\_\_

BY: MS. MOUNT

Repealing Chapter 769 of the Mansfield Codified Ordinances of 1997 concerning prohibiting medical marijuana cultivation, processing, and retail distribution within the City of Mansfield, and declaring an emergency.

WHEREAS, Chapter 769 was enacted Nov 7, 2017, by Ordinance # 17-195 and prohibited medical marijuana cultivation, processing, and retail distribution within the City of Mansfield.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. That Chapter 769 of the Mansfield Codified Ordinances of 1997, as amended, be, and the same is hereby, amended to read as follows:

~~769.01 DEFINITIONS.~~

~~(a) "Academic medical center" has the same meaning as in Section 4731.297 of the Ohio Revised Code.~~

~~(b) "Marijuana" has the same meaning as marihuana as defined in Section 3719.01 of the Ohio Revised Code.~~

~~(c) "Medical marijuana" means marijuana that is cultivated, processed, dispensed, tested, possessed, or used for medical purposes.~~

~~(d) "State university" has the same meaning as in Section 3345.011 of the Ohio Revised Code.~~

~~769.02 CULTIVATION, PROCESSING, OR RETAIL DISPENSING OF MEDICAL MARIJUANA PROHIBITED.~~

~~(a) The cultivation, processing, or retail dispensing of medical marijuana within the City of Mansfield is hereby prohibited.~~

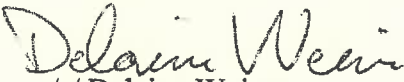
~~(b) This section does not prohibit research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity, if otherwise permitted by State law or rule, or local ordinance.~~

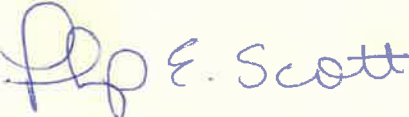
~~769.99 PENALTY.~~

~~Whoever violates Section 769.02 (a) is guilty of a misdemeanor of the fourth degree. Each day of violation shall constitute a separate offense.~~

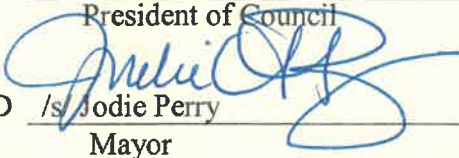
SECTION 2. That in order to allow for the immediate enforcement of this provision, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	<u>16 July 2024</u>
1 <sup>st</sup> Reading	<u>6 Aug 2024</u>
2 <sup>nd</sup> Reading	<u>12 Aug 2024</u>
PASSED	<u>20 Aug 2024</u>

ATTEST   
/s/ Delaine Weiner  
Clerk of Council



SIGNED /s/ Phillip E. Scott  
President of Council

APPROVED   
/s/ Jodie Perry  
Mayor

APPROVED AS TO FORM: Roeliff E. Harper  
Law Director  
City of Mansfield, Ohio

\* Publication Required

BY: MS. MOUNT

Repealing Section 1167.15 of the Mansfield Codified Ordinances of 1997 concerning prohibiting medical marijuana cultivation, processing, and retail distribution within all zoning districts of the City of Mansfield, and declaring an emergency.

WHEREAS, Section 1167.15 was enacted Nov 7, 2017, by Ordinance # 17-196 and prohibited medical marijuana cultivation, processing, and retail distribution within all zoning districts of the City of Mansfield.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:

SECTION 1. That Section 1167.15 of the Mansfield Codified Ordinances of 1997, as amended, be, and the same is hereby, amended to read as follows:

~~1167.15 CULTIVATION, PROCESSING, OR RETAIL DISPENSING OF MEDICAL MARIJUANA PROHIBITED IN ALL DISTRICTS.~~

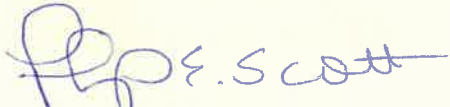
~~(a) The cultivation, processing, or retail dispensing of medical marijuana shall be prohibited use in all zoning districts within the City of Mansfield.~~


~~(b) Use of property in violation of this Section shall constitute a nuisance.~~

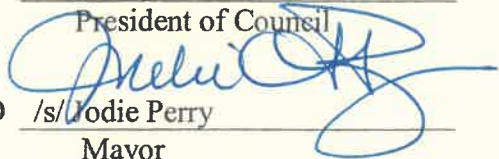
~~(c) In addition to other penalties provided by law, the Director of Law shall be authorized to institute civil proceedings in a court of competent jurisdiction to enjoin violations of this Section; for monetary damages arising from violations of this Section; and to take all actions necessary to secure enforcement of any injunction and collect upon any damage award, judgment, or fine in contempt levied in relation to a violation of this Section.~~

SECTION 2. That in order to allow for the immediate enforcement of this provision, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants, providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

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/s/ Phillip E. Scott  
President of Council

ATTEST   
/s/ Delaine Weiner  
Clerk of Council

APPROVED   
/s/ Jodie Perry  
Mayor

APPROVED AS TO FORM: Roeliff E. Harper  
Law Director  
City of Mansfield, Ohio

\* Publication Required

BILL # 24-159

ORDINANCE # 24-160

BY: MRS. BURNS

Amending Ordinance # 24-154 to reflect the correct organization names and donations. Authorizing the Public Works Director to accept a donation from the VFW Post # 9943 of Two Thousand Seven Hundred Forty and 00/100 (\$2,740.00) and to accept a donation from the VFW Post # 3494 of Two Thousand Seven Hundred Forty and 00/100 dollars (\$2,740.00) for a new flag and flag pole at Liberty Park, and declaring an emergency.

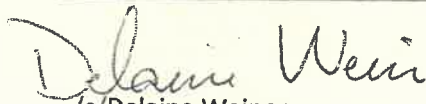
**WHEREAS**, the total amount of the donations is Five Thousand Four Hundred Eighty and 00/100 (\$5,480.00), which is correct on Ordinance # 24-154. Both donations were combined under one VFW post in error, which the City Council passed on August 6<sup>th</sup>, 2024.

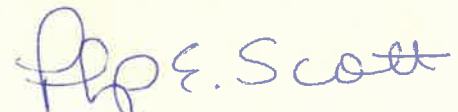
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

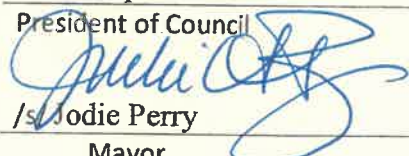
**SECTION 1.** That the Public Works Director be, and is hereby, authorized to accept a donation from the VFW Post # 9943 of Two Thousand Seven Hundred Forty and 00/100 (\$2,740.00) and to accept a donation from the VFW Post #3494 of Two Thousand Seven Hundred Forty and 00/100 dollars (\$2,740.00) for a new flag and flag pole at Liberty Park.

**SECTION 2.** That by reason of the immediate necessity to accept the donation and complete the new flag pole. This measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants, providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus	20 Aug 2024
1 <sup>st</sup> Reading	20 Aug 2024
2 <sup>nd</sup> Reading	
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ATTEST   
/s/Delaine Weiner  
Clerk of Council

  
SIGNED /s/ Phillip E. Scott  
President of Council

  
APPROVED /s/ Jodie Perry  
Mayor

APPROVED AS TO FORM: Roeliff E. Harper  
Law Director  
City of Mansfield, Ohio





DEPARTMENT OF FINANCE  
STATEMENT OF FISCAL IMPACT

RE: Runway 14-32 Improvements Grant

**Nature of Statement and Information Disclosed**

This is a statement of fiscal impact for the City of Mansfield to accept funding from the:  
Ohio Department of Transportation and Federal Aviation Administration

This impact statement has been performed in accordance with the City's revenue policy, adopted by City Council on August 6, 2013 with ordinance #13-166. It is a statement solely for the purpose of analyzing and reporting the fiscal impact on the City of Mansfield of either accepting or not accepting the proposed funding and using certain assumptions as indicated herein. No attempt is made to evaluate the application, award documents or any special condition for suitability to City objectives.

**Current Fiscal Impacts**

***Impact on Revenue***

Grant/Other Funding: 306,850

Funding Period: 12/1/24-12/1/25

***Impact on Expenditures***

<b>PROJECT COSTS:</b>	
Capital Improvements	\$324,900
<b>Total Project Costs:</b>	<b>\$ 324,900</b>

The total project cost is estimated at \$ 324,900 . Note: \* Similar award in 2022 (ord.#22-184).  
\* 5% local cash match.

Match Required: \$ 18,050

**Future Fiscal Impact**

***Impact on Revenue***

N/A

***Impact on Expenditures***

N/A



**DEPARTMENT OF FINANCE  
STATEMENT OF FISCAL IMPACT**

***Other Future Commitments***

N/A

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**Disclosures of Possible Material Future Events**

N/A

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**General Assumptions**

A fiscal impact statement constitutes a forward-looking statement on the acceptance of funds from sources other than City revenue such as grants and the proper execution of all requirements as set forth in any grant application, agreement, or other duly enforceable stipulations.

In any case where a reasonable expectation of a future condition or event has been disclosed or is already known to Finance Department personnel, that information has been used as an assumption in the fiscal impact statement. Expectations not known or not considered reasonably expected to occur have been excluded from the fiscal impact statement. If an event or condition may occur which would have a material and *direct* fiscal impact, but is not reasonably expected to occur, it is disclosed in the fiscal impact statement.

General assumptions are made in this fiscal impact statement that the City staff executing the grant program already possess the required knowledge to perform all of the requirements of the grant, and that the information provided to the Finance Department to prepare this impact statement is true and correct. It is also assumed that no outside events will create a positive or negative influence on the grant program, and that there will be no changes in the legal, operational, or economic environment in which the grant program and the City as a whole operates, except as disclosed herein.

BY: ALL MEMBERS OF COUNCIL

Limiting Adult-Use Cannabis Operators within the City of Mansfield and declaring an emergency.

**WHEREAS**, on November 7, 2023, voters in Ohio approved State Issue 2, which enacted new Chapter 3780 of the Ohio Revised Code, effective thirty days from the date of the election; and

**WHEREAS**, Chapter 3780 authorizes and regulates recreational adult-use cannabis in the state of Ohio and

**WHEREAS**, R.C. 3870.25 authorizes municipal corporations to limit the number of adult-use cannabis operators, as defined in R.C. 3780.01, within city limits and

**WHEREAS**, the Mansfield City Council finds it to be the best interest of the City to limit the number of adult-use cannabis operators licensed under R.C. Chapter 3780 within the city limits

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. All terms used in this ordinance shall be defined in the same manner as R.C. Chapter 3780 as it pertains to adult-use cannabis. All terms used in this ordinance but not defined in that chapter shall be construed, for purposes of this ordinance, to be consistent with the use of such terms in that chapter.

SECTION 2. Adult-use cannabis operators, which includes adult-use marijuana dispensaries, cultivators, and processors, are hereby limited to no more than 3 (three) operating within the City of Mansfield.

SECTION 3. It is the intent of the City Council to limit the operations described in Section 2 above to the maximum extent permitted by R.C. 3780.25

SECTION 4. That by reason of the immediate necessity for limiting the number of Cannabis Dispensaries in the City of Mansfield, this measure is determined to be an emergency ordinance for the immediate preservation of the public peace, health, safety, and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 20 Aug 2024  
1<sup>st</sup> Reading 20 Aug 2024  
2<sup>nd</sup> Reading \_\_\_\_\_  
PASSED 20 Aug 2024

ATTEST Delaine Weiner  
/s/ Delaine Weiner  
Clerk of Council

Philip E. Scott  
SIGNED /s/ Philip E. Scott  
President of Council

Jodie Perry  
APPROVED /s/ Jodie Perry  
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