

The Board of Lake Township Trustees met in special session at 8:45 a.m. at 12360 Market Avenue North, Hartsville, Ohio with the following members present:

John Arnold, President  
Galen Stoll, Vice President  
Ellis Erb, Member

Also Present:

Sophia Kapadia, Acting Clerk                      Joy Dingman  
Morris Dingman

John Arnold called the regular meeting to order.

16-305 Trustee Arnold moved the adoption of the following resolution:

WHEREAS, House Bill 523 becomes effective September 8, 2016 and provides for the regulation and legalization of medical marijuana within the State of Ohio, and

WHEREAS, Ohio Revised Code section 3796.29, as amended, provides that a board of township trustees may adopt a resolution to prohibit or limit the number of medical marijuana cultivators, processors, and dispensaries within the limits of the township; and

WHEREAS, the Board of Trustees of Lake Township takes legislative notice that the use, possession, cultivation, distribution, and sale of marijuana, whether for medical or recreational use, remains illegal under the Controlled Substances Act, codified at 21 U.S.C. Section 841; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Ohio Revised Code section 3796.29, as amended September 8, 2016, and that, as a land use, and public health matter, medical marijuana cultivators, dispensaries, and processors, as defined by House Bill 523 and ORC 3796.29, as amended, are hereby prohibited within Lake Township, Stark County, to protect the health, safety, and welfare of the residents of Lake Township; and

BE IT FURTHER RESOLVED that all actions taken by the Lake Township Board of Trustees relative to these matters were in an open meeting held in compliance with Ohio Revised Code section 121.22, et. seq.

Seconded by Galen Stoll. Roll call votes were:

John Arnold            yes  
Galen Stoll            yes  
Ellis Erb                yes

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16-306 Trustee Arnold moved the adoption of the following resolution:

WHEREAS, Ohio Revised Code section 519.12 (A) provides that a board of township trustees may approve a resolution to amend the township zoning resolution; and

WHEREAS, the Board of Trustees of Lake Township takes legislative notice that the use, possession, cultivation, distribution, and sale of marijuana, whether for medical or recreational use, remains illegal under the Controlled Substances Act, codified at 21 U.S.C. Section 841; and

WHEREAS, Ohio Revised Code section 3796.29, as amended, provides that a board of township trustees may adopt a resolution to prohibit or limit the number of medical marijuana cultivators, processors, and dispensaries within the limits of the township; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Ohio Revised Code section 3796.29, as amended September 8, 2016, and pursuant to Ohio Revised Code section 519.12 (A), the Lake Township Zoning Resolution, as amended, shall hereby be further amended to add a new section to ARTICLE I, GENERAL PROVISIONS, at section 103 CONFORMANCE, to read:

(B) No parcel of real property within Lake Township, Stark County, may be used for medical marijuana cultivation, as a dispensary, and or processing, as defined by House Bill 523 and ORC 3796.29, as amended, and such uses are hereby prohibited within Lake Township, Stark County.

And, at ARTICLE IV, Section 407 PROHIBITIONS, to read:

(B) No parcel of real property within Lake Township, Stark County, may be used for medical marijuana cultivation, as a dispensary, and or processing, as defined by House Bill 523 and ORC 3796.29, as amended, and such uses are hereby prohibited within Lake Township, Stark County.

BE IT FURTHER RESOLVED, that the Fiscal Officer and the Zoning Administrator shall send a certified copy of this Resolution to the Lake Township Zoning Commission for further proceedings pursuant to Ohio Revised Code section 519.12 (A); and

BE IT FURTHER RESOLVED that all actions taken by the Lake Township Board of Trustees relative to these matters were in an open meeting held in compliance with Ohio Revised Code section 121.22, et. seq.

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Galen Stoll	yes
Ellis Erb	yes

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- John Arnold stated that this is a conservative community and people chose to live here because of it. It is one of the principles he wishes to stay intact. If it comes out at a later date that there is irrefutable evidence that medical use of marijuana is absolutely necessary, this will be revisited.

**PUBLIC SPEAKS**

- None

16-307 A resolution was made by John Arnold adjourning the meeting at 8:50 a.m. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Galen Stoll	yes
Ellis Erb	yes

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Sophia Kapadia, Acting Clerk

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John Arnold, President

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Galen Stoll, Vice President

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Ellis Erb, Member

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