



**Agenda - Moratorium Research Commission Meeting
September 2, 2026
5:30 PM - ADA Advisory Commission Meeting**

- 1. Call to Order**
- 2. Roll Call**
Kurt, Mendelsohn, Motycka, Poeppelmeier, Schuester
- 3. New Business**
 - A. Recreational & Medical Marijuana Ordinance
(Proposed action is to recommend to council)
- 4. Old Business**
 - A. Information and Research on Mental Health Moratorium
 - B. Information and Research on Data Center Moratorium
- 5. Adjournment**

ORDINANCE NO. ____-2026

AN ORDINANCE AMENDING SECTIONS 741.01, 741.02, 741.03, 741.04, AND 741.05 OF THE CODIFIED ORDINANCES OF THE CITY OF MAUMEE TO ESTABLISH A UNIFIED LOCAL LICENSING FRAMEWORK FOR MEDICAL AND ADULT-USE MARIJUANA ENTITIES UNDER CHAPTER 3796 OF THE OHIO REVISED CODE; AND REPEALING ORDINANCE NO. 026-2025.

WHEREAS, the Ohio General Assembly adopted Chapter 3796 of the Ohio Revised Code, the Medical Marijuana Control Program, and previously adopted Chapter 3780 of the Ohio Revised Code, governing adult-use cannabis pursuant to State Issue 2 as approved by Ohio voters on November 7, 2023; and

WHEREAS, on December 19, 2025, the Ohio General Assembly enacted Senate Bill 56, effective March 20, 2026, which repealed Chapter 3780 of the Ohio Revised Code in its entirety and consolidated the regulation of both medical marijuana and adult-use marijuana under Chapter 3796 of the Ohio Revised Code, under the oversight of the Division of Cannabis Control within the Ohio Department of Commerce; and

WHEREAS, Section 3796.29 of the Ohio Revised Code authorizes the legislative authority of a municipal corporation to adopt an ordinance to prohibit, or limit the number of, licensed cultivators, licensed processors, or licensed dispensaries licensed under Chapter 3796 of the Ohio Revised Code, without distinction between medical marijuana and adult-use marijuana licensees, and Section 3796.30 of the Ohio Revised Code prohibits the location of such licensees within five hundred (500) feet of a school, church, public library, public playground, or public park; and

WHEREAS, Council previously adopted Ordinance No. 023-2023, and subsequently Ordinance No. 026-2025, each imposing a temporary 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 or marijuana within the City, in order to allow the City Administration and Council time to review applicable Ohio statutes, regulations, and the City's codified ordinances relative to such activity; and

WHEREAS, Council has completed its review of applicable state law, including the consolidation of medical and adult-use marijuana regulation under Chapter 3796 of the Ohio Revised Code, and desires to establish a unified local licensing framework governing marijuana entities of all kinds and to terminate the moratorium imposed by Ordinance No. 026-2025; and

WHEREAS, pursuant to the Constitution of the State of Ohio and the Ohio Revised Code, the City of Maumee has the power to enact laws for the health, safety, and welfare of its citizens, which power includes the reasonable regulation and licensing of marijuana entities operating within the City;

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

SECTION 1. That Chapter 741 of the Codified Ordinances of the City of Maumee is hereby retitled from "Medical Marijuana Entities" to "Marijuana Entities."

SECTION 2. That Section 741.01 of the Codified Ordinances of the City of Maumee is hereby amended to read as follows:

741.01 PURPOSE.

The purpose of this Chapter is to establish limitations on marijuana operations, whether medical marijuana or adult-use marijuana, within the City and to establish reasonable and uniform regulations to minimize and control the negative secondary effects of marijuana entities within the City, all in order to promote the health, safety, and welfare of the citizens of the City.

(Ord. 200-2017. Amended by Ord. ____-2026. Passed __ - __-26.)

SECTION 3. That Section 741.02 of the Codified Ordinances of the City of Maumee is hereby amended to read as follows:

741.02 DEFINITIONS.

As used in this chapter:

- (a) "Adult-use cannabis operator" means a level I adult-use cultivator, level II adult-use cultivator, level III adult-use cultivator, adult-use processor, adult-use dispensary, or adult-use testing laboratory licensed pursuant to Chapter 3796 of the Ohio Revised Code to cultivate, process, test, or dispense marijuana for sale to adult-use consumers.
- (b) "Adult-use consumer" means an individual twenty-one (21) years of age or older who purchases, possesses, shares, or uses adult-use marijuana in accordance with Chapter 3796 of the Ohio Revised Code.
- (c) "Adult-use marijuana" means marijuana cultivated, processed, tested, or dispensed for sale to adult-use consumers as authorized under Chapter 3796 of the Ohio Revised Code, as distinguished from medical marijuana.
- (d) "Cultivator" means a person, as defined in this Section, that grows, harvests, packages, and/or transports marijuana, whether medical marijuana, adult-use marijuana, or both, as authorized by Chapter 3796 of the Ohio Revised Code.
- (e) "Dispensary" means a person, as defined in this Section, that sells marijuana, whether medical marijuana, adult-use marijuana, or both, as authorized by Chapter 3796 of the Ohio Revised Code, including a person operating under a dual-use license.
- (f) "Disqualifying offense" shall have the same meaning as in Ohio Admin. Code 3796:1-1-01 or subsequent or similar regulations.
- (g) "Dual-use license" means a license issued pursuant to Chapter 3796 of the Ohio Revised Code authorizing the licensee to sell both medical marijuana and adult-use marijuana at the same licensed location.

- (h) "License Technician" for the purposes of this Chapter, means the Mayor or his/her designee.
- (i) "Local operating license" means a license issued by the City of Maumee to a marijuana entity. A marijuana entity may not operate within the City of Maumee without a valid local operating license.
- (j) "Local provisional license" means a temporary license issued by the City of Maumee to a marijuana entity that establishes conditions that must be met by the marijuana entity before a certificate of operation is issued to it.
- (k) "Marijuana" means marijuana as defined by Section 3719.01 of the Ohio Revised Code, and includes both medical marijuana and adult-use marijuana as those terms are used in Chapter 3796 of the Ohio Revised Code.
- (l) "Marijuana entity" means a marijuana cultivator, processor, dispensary, or testing laboratory licensed pursuant to Chapter 3796 of the Ohio Revised Code, whether licensed as a medical marijuana entity, an adult-use cannabis operator, or under a dual-use license.
- (m) "Medical marijuana" shall have the same meaning as in Chapter 3796 of the Ohio Revised Code.
- (n) "Person" means any natural or corporate person, business association or other business entity, including but not limited to a firm, corporation, limited liability company, partnership, joint venture, sole proprietorship or any other legal entity.
- (o) "Processor" means a person, as defined in this Section, that manufactures marijuana products, whether medical marijuana products, adult-use marijuana products, or both, as authorized by Chapter 3796 of the Ohio Revised Code.
- (p) "Prohibited facility" means a school, church, public library, public playground, public park, or community addiction services provider.
- (q) "Testing Laboratory" means a person, as defined in this Section, that conducts medical and scientific research on marijuana, whether medical marijuana, adult-use marijuana, or both, as authorized by Chapter 3796 of the Ohio Revised Code.
- (r) "Valid" means not expired, suspended or revoked.
- (s) "School," "church," "public library," "public playground," and "public park" shall have the same meaning as in R.C. 3796.30; "community addiction services provider" shall have the same meaning as in R.C. 5119.01.

(Ord. 200-2017. Amended by Ord. ____-2026. Passed __-__-26.)

SECTION 4. That Section 741.03 of the Codified Ordinances of the City of Maumee is hereby amended to read as follows:

741.03 LICENSING OF MARIJUANA ENTITIES.

- (a) No marijuana entity shall operate in the City of Maumee unless the entity possesses a valid local operating license pursuant to this chapter and a valid state certificate of operation or other authorization to operate issued by the Division of Cannabis Control under Chapter 3796 of the Ohio Revised Code, except as otherwise provided in this Section.
- (b) A marijuana entity seeking to obtain a local operating license under this chapter must first apply for a local provisional license. A marijuana entity may not receive a building permit or certificate of occupancy unless, at the time such documents are issued, the entity possesses a valid local provisional license.
- (c) An application for a local provisional license shall be made to the License Technician and shall include:
 - (1) The legal name of the applicant.
 - (2) The type of business organization of the applicant, such as an individual corporation, partnership, limited liability company, association, cooperative, joint venture, or any other business organization.
 - (3) Confirmation that the applicant is registered with the Ohio Secretary of State as the type of business submitted pursuant to this rule, a certificate of good standing issued by the Ohio Secretary of State, and a copy of the applicable business documents governing the operations and administration of the business.
 - (4) The mailing address, email address and phone number of the applicant, if the applicant is an individual, or the name, mailing address, email address and phone number of a designated representative of the applicant, if the applicant is not an individual.
 - (5) If the applicant is currently, was previously, or has applied to be licensed or authorized in another state or jurisdiction to cultivate, produce, test, dispense, or otherwise deal in the distribution of marijuana, whether medical marijuana or adult-use marijuana, in any form, the following:
 - A. A copy of each such licensing/authorizing document verifying licensure in that state or jurisdiction;
 - B. A statement granting permission to contact the regulatory agency that granted the license, accompanied by the contact information, to confirm the information contained in the application; and
 - C. If the applicant was ever warned, fined, denied, suspended, revoked or otherwise sanctioned, a copy of documentation so indicating, or a statement that the applicant was so licensed and was never warned, fined, denied, suspended, revoked or otherwise sanctioned. This includes notification of any pending proceedings regarding warnings, fines, denials, suspensions, revocations, or other sanctions.

- (6) With respect to any person presently or previously associated with the applicant, any instance in which such person managed or served on the board of a business and was convicted, fined, censured, or had a registration or license suspended or revoked in any administrative or judicial proceeding in connection with such management or services, as well as information regarding the association between such person and the applicant.
 - (7) The proposed physical address of the applicant's marijuana entity and confirmation that the property is properly zoned for such use under the City's Planning and Zoning Code.
 - (8) A location area map of the area surrounding the proposed marijuana entity that establishes that the parcel of real estate in which the proposed facility will be located is at least five hundred feet from the boundaries of a parcel of real estate having situated on it a prohibited facility, as measured under Section 3796.30 of the Ohio Revised Code and any implementing rules of the Division of Cannabis Control.
 - (9) Any other information requested by the License Technician.
 - (10) A non-refundable application fee of five thousand dollars (\$5,000.00).
- (d) An application for a local provisional license shall be granted on the approval of the License Technician, except as otherwise provided in this Section. Within one year of receiving a local provisional license, a marijuana entity may apply for a local operating license. If a marijuana entity possessing a local provisional license has not applied for a local operating license within one year, the local provisional license will expire and a marijuana entity seeking a local operating license will need to first submit a new application for a local provisional license.
- (e) An application for a local operating license shall be made to the License Technician and shall include:
- (1) A copy of the applicable provisional license application submitted by the marijuana entity to the Division of Cannabis Control under Chapter 3796 of the Ohio Revised Code.
 - (2) A copy of the provisional license granted by the Division of Cannabis Control under Chapter 3796 of the Ohio Revised Code to the marijuana entity at the address at which the facility is to be located.
 - (3) Confirmation that the marijuana entity is conforming to all requirements under this Chapter, Chapter 3796 of the Ohio Revised Code, and the rules adopted thereunder.
 - (4) Confirmation that the Maumee Police Department has inspected the facility and approved the security arrangements.
 - (5) Any other information requested by the License Technician.
 - (6) A non-refundable application fee of twenty thousand dollars (\$20,000.00).

- (f) An application for a local operating license shall be granted on the approval of the License Technician, except as otherwise provided in this Section.
- (g) Every local operating license issued by the City shall expire two (2) years after the date on which it was issued. A renewal application for a marijuana entity shall be submitted to the License Technician at least ninety (90) days prior to the expiration date of the local operating license. The renewal application shall include:
 - (1) Confirmation that the marijuana entity is conforming to all requirements under this Chapter, Chapter 3796 of the Ohio Revised Code, and the rules adopted thereunder.
 - (2) A copy of a valid certificate of operation issued by the Division of Cannabis Control to the marijuana entity for the same address.
 - (3) Any other information requested by the License Technician.
 - (4) A non-refundable renewal fee of twenty thousand dollars (\$20,000.00).
- (h) An application for a renewal license shall be granted on the approval of the License Technician, except as otherwise provided in this Section.
- (i) Both local provisional licenses and local operating licenses are only valid as to the particular address listed in the initial local provisional license application. A marijuana entity that has obtained a local operating license may submit an application for a location change to the License Technician, which shall include:
 - (1) Confirmation that the marijuana entity is conforming to all requirements under this Chapter, Chapter 3796 of the Ohio Revised Code, and the rules adopted thereunder.
 - (2) A copy of a valid certificate of operation issued by the Division of Cannabis Control to the marijuana entity for the current address.
 - (3) The new proposed physical address of the applicant's marijuana entity and confirmation that the property is properly zoned for such use under the City's Planning and Zoning Code.
 - (4) A location area map of the area surrounding the newly proposed marijuana entity location that establishes that the parcel of real estate on which the facility will be located is at least five hundred (500) feet from the boundaries of a parcel of real estate having situated on it a prohibited facility, as measured under Section 3796.30 of the Ohio Revised Code and any implementing rules of the Division of Cannabis Control.
 - (5) Any other information requested by the License Technician.
 - (6) A non-refundable application fee of five thousand dollars (\$5,000.00) for the location change; licensee shall remain responsible for license fees and renewal fees as outlined in (e)(6) and (g)(4) above.

- (j) An application for a location change for a local operating license may be granted on the approval of the License Technician, except as otherwise provided in this Section. If approval for the location change is granted, a new local operating license will be issued.
- (k) Both local provisional licenses and local operating licenses are only valid as to the particular marijuana entity listed in the initial local provisional license application. If the ownership of a marijuana entity changes, requiring a transfer of ownership application to the State of Ohio under applicable rules of the Division of Cannabis Control, the marijuana entity must notify the City. If the State of Ohio determines that the proposed ownership change complies with the applicable transfer-of-ownership rule, the ownership change will be permitted by the City under the existing local provisional license or local operating license. If the State of Ohio determines that a new state license application is required, then the ownership change will not be permitted by the City without a new local provisional license and a new local operating license.
- (l) As part of the submission of an application that results in the issuance of a local provisional license or local operating license, a marijuana entity irrevocably consents to the following:
 - (1) Any inspection by the City of Maumee or the Maumee Police Department that is deemed necessary to ensure compliance by the marijuana entity with this Chapter, Chapter 3796 of the Ohio Revised Code, and the rules adopted thereunder. An inspection may be conducted with or without notice. During the inspection, a representative of the City of Maumee or the Maumee Police Department may:
 - A. Review and make copies of all records that are not protected documents pursuant to HIPAA or other confidentiality provisions that are maintained in accordance with the applicable rules of the Division of Cannabis Control;
 - B. Enter any area in the facility;
 - C. Inspect facility vehicles;
 - D. Review the policies and procedures of the marijuana entity, including methods of operating;
 - E. Survey the premises and any off-site facilities;
 - F. Inspect all equipment, instruments, tools, materials, machinery, or any other resource used to cultivate, process, dispense, or test marijuana.
 - G. Request access to locked areas in the facility;
 - H. Question licensed employees at the location; and

(m) Notification.

- (1) If, at any time, a marijuana entity is subject to any enforcement action by the State of Ohio under Chapter 3796 of the Ohio Revised Code or the rules adopted thereunder,

the marijuana entity must immediately notify the City of Maumee and provide any relevant information or documentation requested by the City.

- (2) If, at any time, a marijuana entity or an employee thereof has a reasonable belief that an actual loss, theft, or diversion of marijuana or currency of \$100 has occurred, the marijuana entity must immediately notify the Maumee Police Department, and such notification shall be provided no later than twenty-four (24) hours after discovery of the loss, theft, or diversion.
 - (3) If, at any time, any information in a marijuana entity's local provisional license application changes, the marijuana entity must immediately notify the City of Maumee.
- (n) If at any time, the City becomes aware that a marijuana entity possessing a local provisional license or a local operating license has engaged in, is engaged in, or is about to engage in any act or practice declared to be prohibited by this Chapter, Chapter 3796 of the Ohio Revised Code, the rules adopted thereunder, or any other local, state, or federal law, with the exception of acts that are permitted under state law but are federal law violations stemming from the classification of marijuana as a controlled substance under 21 U.S.C. §812(c), the Director of Public Safety may do any of the following:
- (1) Refer such violations to the Division of Cannabis Control;
 - (2) Issue a warning to the marijuana entity, which may include possible corrective action(s);
 - (3) Suspend the license and require any violations to be resolved and corrective actions to be taken as conditions to the reinstatement of the suspended license;
 - (4) Revoke the license.

(o) Notice.

- (1) A warning, suspension, or revocation issued by the City under this Section shall be served upon the marijuana entity at the address for which a local provisional license and local operating license was granted, by personal service, or by certified and regular mail, or by posting in a conspicuous location.
 - (2) Notice by certified mail shall be effective upon delivery. In the event that notice by certified mail is returned unclaimed or refused, mailing of the notice by regular mail shall be deemed effective upon mailing. Notice by personal service or by posting shall be deemed effective at the time of personal service or posting, respectively.
- (p) A marijuana entity must immediately cease operations under suspension, revocation, or expiration of a local provisional license or local operating license, unless otherwise instructed by the City, until the suspension is lifted or a new, valid license is obtained.

(q) Suspension of Licenses.

- (1) Suspension of licenses shall only be accomplished through the procedures outlined in this subsection. Suspension shall be accomplished after a public hearing is held thereon by the Safety Director, which hearing shall be held within thirty (30) days after notice is given to the licensee of such hearing, by certified mail and regular mail. The licensee shall have the right to appear at such a hearing, to be represented by counsel, and to have the right to examine and cross-examine witnesses.
- (2) Suspension may take place without a prior hearing if the Safety Director finds clear and convincing evidence that the continued distribution of marijuana presents a danger of immediate and serious harm to others. Notice of the suspension shall be made as provided in this Section and a hearing on the merits of the suspension will take place within five (5) days of the suspension.
- (3) The suspension will remain in effect, unless lifted by the Safety Director, pending the results of the hearing. If the Safety Director does not issue an order within ninety (90) days after the hearing, the suspension shall be lifted on the ninety-first (91st) day following the hearing.
- (4) As a condition of the reinstatement of a suspended license, the Safety Director may require any violations to be resolved and reasonable corrective actions to be taken.

(r) Revocation of Licenses.

- (1) Revocation of licenses shall only be accomplished through the procedure outlined in this subsection. Revocation shall be accomplished only after a public hearing is held thereon by the Safety Director, which hearing shall be held within thirty (30) days after notice is given to the licensee of such a hearing, by certified mail and regular mail. The licensee shall have the right to appear at such a hearing, to be represented by counsel, and to have the right to examine and cross-examine witnesses.
 - (2) If a marijuana entity's local provisional license or local operating license is revoked, the marijuana entity will coordinate with the City of Maumee and the Division of Cannabis Control in the closing of the facility as provided for in the applicable rules of the Division of Cannabis Control.
- (s) In the event a decision or ruling of the Safety Director is adverse to a licensee or license applicant regarding a denial, revocation or suspension of a license, the licensee or license applicant shall have the right to appeal such decision and ruling to a court of competent jurisdiction, under authority of and pursuant to the provisions of Chapter 2506 of the Ohio Revised Code. A notice of appeal in such action shall be filed with the Office of the Mayor, as well as with the court to which the action is appealed, within appropriate time limits, as provided in Chapter 2505 of the Ohio Revised Code.
- (t) The Safety Director shall have the authority to deny any application for a local provisional license, local operating license, license renewal, or a location change, at his/her discretion, pursuant to the criteria of this Chapter.
- (u) A marijuana entity that holds a valid local operating license authorizing either medical marijuana or adult-use marijuana operations at a given location may apply to the License

Technician for authorization to add the other type of marijuana operation at the same location, without submitting a new local provisional license application, by providing: (1) proof of the entity's dual-use license or other applicable additional authorization issued by the Division of Cannabis Control for that location; (2) confirmation that the entity continues to conform to all requirements under this Chapter and Chapter 3796 of the Ohio Revised Code; and (3) a non-refundable additional-authorization fee of five thousand dollars (\$5,000.00). An application under this subsection shall be granted upon the approval of the License Technician, except as otherwise provided in this Section.

(Ord. 200-2017; Ord. 230-2018. Amended by Ord. ____-2026. Passed __-__-26.)

SECTION 5. That Section 741.04 of the Codified Ordinances of the City of Maumee is hereby amended to read as follows:

741.04 LOITERING AND EXTERIOR LIGHTING AND MONITORING REQUIREMENTS.

- (a) It shall be the duty of the operator of a marijuana facility/entity to:
- (1) Initiate and enforce a no loitering policy within the external boundaries of the parcel of real property upon which the marijuana facility/entity is located;
 - (2) Post conspicuous signs stating that no loitering is permitted on such property;
 - (3) Monitor the activities of persons on such property by visually inspecting such property or inspecting such property by use of video cameras and monitors; and
 - (4) Provide adequate lighting of the exterior premises to provide for visual inspection or video monitoring and to prohibit loitering. The video cameras and monitors shall operate continuously at all times that the premises are open for business.
- (b) It shall be unlawful for a person having a duty under this section to knowingly fail to fulfill that duty.

(Ord. 200-2017. Amended by Ord. ____-2026. Passed __-__-26.)

SECTION 6. That Section 741.05 of the Codified Ordinances of the City of Maumee is hereby amended to read as follows:

741.05 INJUNCTION.

Any person who operates or causes to be operated a marijuana facility in violation of this chapter is subject to a suit for injunction as well as prosecution for criminal violations under the Codified Ordinances of the City of Maumee or the State of Ohio.

(Ord. 200-2017. Amended by Ord. ____-2026. Passed __-__-26.)

SECTION 7. That Ordinance No. 026-2025, imposing a temporary 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 or marijuana within

the City of Maumee, is hereby repealed in its entirety, effective upon the effective date of this ordinance.

SECTION 8. That if any section, subsection, or clause of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. That it is found and determined that all formal actions of the Council of the City of Maumee concerning and relating to the adoption of this ordinance were taken in an open meeting of the Council of the City of Maumee and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the Maumee Charter and Section 121.22 of the Ohio Revised Code.

SECTION 10. That this ordinance shall take effect and be in force at the earliest date allowed by law.

First Reading: , 2026.

Second Reading: , 2026.

Motion to Pass: Second:

Yeas: _____ Nays: _____

Passed: _____, 2026.

Chelsea Ziss, Mayor

Approved As to Form:

Director of Law

Attest:

Clerk