

**AN ORDINANCE OF THE CITY OF VILLA HILLS, IN KENTON COUNTY, KENTUCKY, AMENDING THE VILLA HILLS CODE OF ORDINANCES TO PROHIBIT THE OPERATION OF ANY MEDICAL CANNABIS FACILITIES IN THE CITY AS PERMITTED BY KRS 218B.130.**

**WHEREAS**, the Commonwealth of Kentucky has adopted KRS 218B.010, et. seq., providing for the legalization of the use of medical cannabis and the operation of medical cannabis facilities in the Commonwealth pursuant to the terms and conditions of said state law, which statutes *inter alia* contain KRS 218B.130 which allows local governments like this City to prohibit all cannabis business operations within its territories through passage of an ordinance; and

**WHEREAS**, a retail location for a dispensary in the city's Neighborhood Commercial and Sanctuary PUD zones do not exist due to the required 1,000-foot buffer for school and child care facilities preventing the establishment of a dispensary within those zones; and

**WHEREAS**, the lack of public water and sewer in the city's Rural Residential Estate, Riverfront Development, and Riverfront Industrial zones and the riverfront area identified for industrial uses in the comprehensive plan make cultivation, production, processing, and distribution facilities not feasible; and

**WHEREAS**, due to the limited number of licenses available and Villa Hills' location away from major population centers and the interstate it is impractical for any medical cannabis facilities to operate when compared to other potential locations in other jurisdictions; and

**WHEREAS**, for the reasons stated above, which the City Council finds as true and accurate, the City Council hereby determines it to be in the interest of public health, safety and welfare to prohibit the operation of any medical cannabis facilities in the City.

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF VILLA HILLS, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:**

**SECTION 1**

A new section of the Villa Hills Code of Ordinance Villa Hills, numbered as Section 150.70, shall be added stating as follows:

Pursuant to KRS 218B.130, all cannabis business operations as defined in KRS 218B.010 shall be prohibited within the City of Villa Hills.

**SECTION 2**

Any and all Ordinances in conflict with this Ordinance shall be, and hereby are, repealed to the extent of said conflict.

**SECTION 3**

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

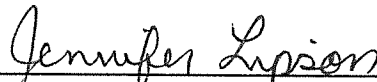
**SECTION 4**

That this ordinance shall become effective upon its passage and shall be published under KRS 83A.060(9) and other applicable law. This ordinance may be published by summary.

Passed by City Council on 19<sup>th</sup> day of June, 2024

CITY OF VILLA HILLS, KENTUCKY  
A Municipal Corporation of the Home Rule Class

ATTEST:

  
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Jennifer Lipson, City Clerk

By:   
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Heather H. Jansen, Mayor

Sponsor: Stover  
First Reading: May 15, 2024  
Second Reading: June 19, 2024  
Ayes: 6  
Nays: 0  
Abstentions: 0  
Absent: 0  
Publication: 06-28-2024