

**CITY OF CRESTWOOD, KENTUCKY**  
ORDINANCE NO. 2024-7

**AN ORDINANCE OF THE CITY OF CRESTWOOD IN OLDHAM COUNTY KENTUCKY PROHIBITING ALL CANNABIS BUSINESS OPERATIONS WITHIN THE CITY LIMITS OF THE CITY OF CRESTWOOD**

**WHEREAS**, on March 31, 2023, the governor signed into law Senate Bill 47 which establishes the licensing and regulation of the cultivation, processing, sale, distribution, and use of marijuana and related activities for medicinal purposes; and

**WHEREAS**, the Act authorizes the Cabinet for Health and Family Services to issue licenses to the following businesses:

- a. Tier I cannabis cultivator;
- b. Tier II cannabis cultivator;
- c. Tier III cannabis cultivator;
- d. Tier IV cannabis cultivator;
- e. Cannabis dispensary;
- f. Cannabis processor;
- g. Cannabis producer; or
- h. Cannabis safety compliance facility; and

**WHEREAS**, KRS 218B.130(2)(b) authorizes a local government to prohibit all cannabis business operations within its territory through the passage of an ordinance; and

**WHEREAS**, due to the present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on Kentucky municipalities in general, and on the City of Crestwood in particular, it is necessary and appropriate, and in the best interest of the health, safety, and welfare of the residents of the City of Crestwood and members of the public who visit, travel, or conduct business in the City of Crestwood, to prohibit all cannabis business within the geographic boundaries of the City of Crestwood; and

**WHEREAS**, if the Board of Commissioners does not opt out of these businesses at this time by ordinance, the Commonwealth may issue licenses to businesses without the City's ability to regulate if and when they can operate and where they may be located; and

**WHEREAS**, the City of Crestwood desires that all forms of medication be dispensed through a pharmacy and is confident that there are other nearby means through which residents will have access to medications and substances used for medicinal purposes without allowing said businesses to operate within the city limits; and

**WHEREAS**, the City of Crestwood wishes to utilize the authority granted to it by KRS 218B.130(2)(b) and finds that this Ordinance is in the best interest of the residents of the City of Crestwood.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Crestwood as follows:

**SECTION 1.0 DEFINITIONS**

- (1) "Cabinet" means the Cabinet for Health and Family Services;
- (2) "Cannabis business" means an entity licensed under this chapter as a cultivator, dispensary, processor, producer, or safety compliance facility;
- (3) "Cultivator" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
- (4) "Dispensary" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
- (5) "Medical cannabis" means
  - a. Marijuana as defined in KRS 218A.010 when cultivated, harvested, processed, produced, transported, dispensed, distributed, sold, possessed, or used in accordance with this chapter;
  - b. Includes medical cannabis products and raw plant material; and
  - c. Does not include industrial hemp or industrial hemp products as defined in KRS 260.850;
- (6) "Processor" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;
- (7) "Producer" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090; and,
- (8) "Safety compliance facility" means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090.

**SECTION 2.0 CANNABIS BUSINESSES PROHIBITED**

- (1) All cannabis businesses are hereby prohibited from operating in the corporate city limits of Crestwood, Kentucky.
- (2) "Cannabis business" means any entity licensed under Chapter 218B of the Kentucky Revised Statutes as a cultivator, dispensary, processor, producer, or safety compliance facility.

**SECTION 3.0 PROVISIONS SEVERABLE**

If any section, subsection, sentence, clause, phrase or portion 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 hereof.

**SECTION 4.0 CONFLICTING ORDINANCES REPEALED**

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION 5.0 EFFECTIVE DATE**

This Ordinance shall be effective as soon as possible according to law.

SECTION 6.0 PUBLICATION

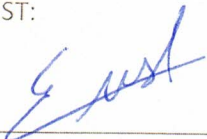
This Ordinance shall be published pursuant to Kentucky law.

  
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JAMES KRAMER, MAYOR

DATE: 9/18/24

FIRST READING: 8/14/24  
SECOND READING: 9/11/24

ATTEST:

  
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ERIKA CORDOVA, CITY CLERK