

**City of Elsmere, Kentucky
RESOLUTION No. 3-2024**

A RESOLUTION OF THE CITY OF ELSMERE, KENTUCKY DIRECTING THE QUESTION OF PROHIBITING CANNABIS BUSINESSES FROM OPERATING WITHIN ITS TERRITORY BE SUBMITTED TO THE VOTERS AT THE NEXT REGULAR ELECTION.

WHEREAS, the 2023 Kentucky General Assembly passed KRS 218B.010-.155 relating to the production, delivery and use of medical cannabis by cardholders; 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, 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 Elsmere in particular, it is necessary and appropriate, and in the best interest of the health, safety, and welfare of the City of Elsmere's residents and members of the public who visit, travel or conduct business in the City of Elsmere to allow the voters of the City of Elsmere to determine whether the city should allow cannabis businesses by way of referendum vote.

WHEREAS, the City of Elsmere utilizes its authority under KRS 218B.130(2)(c) by directing that the question of prohibiting cannabis businesses from operating within the City of Elsmere be submitted to the voters at the next regular election.

WHEREAS, if the question submitted to the voters passes, medical cannabis sales and cannabis business operations may be conducted in the City of Elsmere, notwithstanding any local government ordinances which prohibit all cannabis business operations within its territory; and

WHEREAS, the provisions of general election law shall apply to the public questions submitted to voters under this Resolution.


NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELSMERE, KENTUCKY AS FOLLOWS:

SECTION I

That the City of Elsmere, in accordance with KRS 218B.130(2)(c) hereby directs this Resolution to the county clerk and further directs the county clerk to place before the voters of the City of Elsmere at the next regular election the question, which shall be "Are you in favor of the sale of medicinal cannabis at a licensed dispensary and the operation of other cannabis business in the City of Elsmere?"

PASSED AND APPROVED BY 5 MEMBERS OF THE ELSMERE CITY COUNCIL,
ELSMERE, KENTUCKY ON THIS THE 9 DAY OF JULY, 2024

APPROVED:


HON. MARTYLENHOF, MAYOR

ATTEST:


KATIE HEHMAN
ELSMERE CITY CLERK