

**ORDINANCE NO. 24-10**

**ORDINANCE RELATING TO THE PROHIBITION OF CANNABIS BUSINESS  
OPERATIONS IN THE  
CITY OF LANCASTER**

**WHEREAS**, on April 15, 2024, the Kentucky General Assembly passed 2024 House Bill 829, signed into law by Governor Andy Beshear on April 17, 2024, that amends KRS Chapter 218B, which codifies the statutes governing the Kentucky Medical Cannabis Program;

**WHEREAS**, KRS 218B.090 and 218B.130 authorize local governments to prohibit cannabis business operations within their territory through the passage of an ordinance;

**WHEREAS**, the City of Lancaster wishes to utilize the authority granted to it by KRS 218B.090 and 218B.130 to prohibit cannabis business operations within the city of Lancaster;

**NOW, THEREFORE, BE IT ORDAINED** by THE CITY COUNCIL OF THE CITY OF LANCASTER, COMMONWEALTH OF KENTUCKY:

**Section 1**

**Definitions**

**The definitions within KRS 218B.010 are hereby adopted as if set out herein and as relevant to this ordinance.**

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. "Medicinal 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 medicinal 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

### Cannabis Businesses Prohibited

1. All cannabis businesses are hereby prohibited from operating within the boundaries of the City of Lancaster, Ky.
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

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 All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

### Effective Date

This ordinance shall be effective upon its enactment and publication by the City of Lancaster, KY.

Passed by City of Lancaster City Council on 10-14, 2024

CITY OF LANCASTER, KENTUCKY

By:   
Mayor

ATTEST:



City Clerk

First Reading: 9-9-24

Second Reading: 10-14-24

Publication: 10-24-24