

ORDINANCE NO. 793

**AN ORDINANCE PERMITTING THE SALE OF MEDICAL CANNABIS AND
OPERATION OF MEDICAL CANNABIS BUSINESSES WITHIN THE CITY
OF OWENTON PURSUANT TO THE AUTHORITY GRANTED IN KRS
218B.090 AND 218B.130.**

* * * *

WHEREAS, on April 15, 2024, the Kentucky General Assembly adopted House Bill 829, which was signed into law by the Governor on April 17, 2024, amending KRS 218B, the Kentucky law permitting medical cannabis; and

WHEREAS, the medical cannabis statutes provide that local governments have the option of allowing or not allowing the sale of medical cannabis and operation of medical cannabis businesses within their jurisdictions, or submitting the question to voters; and

WHEREAS, Owen County, Kentucky has not made a decision as to whether to allow or prohibit the sale of medical cannabis and operation of medical cannabis businesses within its jurisdiction; and

WHEREAS, KRS 218b.130(3)(a) authorizes local governments to permit the sale of medical cannabis and operation of medical cannabis businesses within their territories through the passage of an ordinance when the county that local government is located within prohibits all medical cannabis sales and operations; and

WHEREAS, the City of Owenton, City Council has decided to utilize the authority of KRS 218B.090 and 218B.130 to allow the sale of medical cannabis and operation of medical cannabis businesses within the City of Owenton, Kentucky.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OWENTON, KENTUCKY AS FOLLOWS:

Section 1

**MEDICAL CANNABIS
DEFINITIONS**

The definitions within KRS 218B.010 are hereby adopted and incorporated by reference as if fully rewritten herein.

**SALE OF MEDICAL CANNABIS AND OPERATION OF ALL MEDICAL CANNABIS
BUSINESSES PERMITTED.**

The sale of medical cannabis to a registered qualified patient and the operation of all medical cannabis businesses permitted by Kentucky law are hereby permitted within the city limits of the City of Owenton, Kentucky.

Section 2

The Owenton City Council hereby directs the Owenton Planning and Zoning Committee to make recommendations before October 22, 2024, if any, regarding potential zoning regulations related to the sale of medical cannabis or the operation of medical cannabis businesses in Owenton.

Section 3

The provisions of this chapter are severable. If any section, clause, sentence, part, or provision of this chapter shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect, impair, or invalidate any of the remaining sections, clauses, sentences, parts or provisions of this chapter. It is hereby declared to be the intent of the Owenton City Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence, part, or provision had not been included herein.

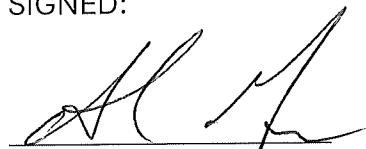
Section 4

This Ordinance shall take effect and be in full force upon its passage, approval, and publication as required by law.

Given first reading in special session this 27th day of August, 2024

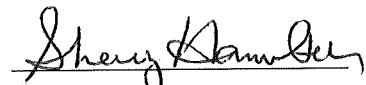
Given second reading and adopted in regular session _12th_ day of September __, 2024

SIGNED:



ADAM GAINES, MAYOR

ATTEST:



SHERRY HAMILTON, CITY CLERK