

**CITY OF OAK GROVE**  
**ORDINANCE NO. 2024-XX**

**ORDINANCE PERMITTING CANNABIS BUSINESS OPERATIONS IN THE CITY OF OAK GROVE**

**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**, the City of Oak Grove recognizes the potential benefits of allowing cannabis business operations, including economic growth, job creation, and access to medicinal cannabis for residents; and

**WHEREAS**, it is necessary and appropriate, and in the best interest of the health, safety, and welfare of the City of Oak Grove's residents and members of the public who visit, travel, or conduct business in the City of Oak Grove to permit cannabis business operations within the geographic boundaries of the City of Oak Grove;

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

**Section 1-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) “**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;

(8) “**Safety compliance facility**” means an entity licensed as such under KRS 218B.080, 218B.085, and 218B.090;

### **Section 2-Cannabis Businesses Allowed – Permit Required – Zoning Adherence**

(1) All cannabis businesses are hereby allowed to operate within the city limits of Oak Grove.

(2) All cannabis businesses operating within the city limits of Oak Grove shall purchase an annual permit in the amount five hundred dollars (\$500.00) from the City of Oak Grove.

(3) All cannabis businesses operating within the city limits of Oak Grove shall adhere to zoning requirements for cannabis businesses as set forth by the City of Oak Grove.

### **Section 3-Severability**

It is the legislative body’s intent that the provisions of this ordinance are to be severable and that if a part of this ordinance is to be invalid, the findings do not necessarily invalidate the entire ordinance.

**Section 4-Effective Date**

This Ordinance shall be effective immediately upon its enactment by the City of Oak Grove following second reading and publication in accordance with the requirements of applicable Kentucky law.

Date of First Reading of Ordinance: August 6, 2024

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Date of Second Reading of Ordinance: August 20, 2024

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Date of Publication of Ordinance:

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Ordinance published in:

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Jacqueline Oliver, Mayor

ATTEST:

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Lorelynn Fisher, City Clerk

*This advertisement was paid for by the City of Oak Grove using taxpayers' dollars in the amount of \$\_\_\_\_\_.*

Certification

I, Lorelynn Fisher, do hereby certify that I am the duly appointed clerk of the City of Oak Grove, Kentucky, and that the foregoing Ordinance is a true and correct copy of an ordinance duly adopted at a meeting of the City Council on \_\_\_\_\_, 2024, that the Ordinance referred to therein is in the form presented to said meeting and in the form executed, and the said ordinance appears as a matter of public record in the Official City Ordinance Book and is in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this \_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Lorelynn Fisher, City Clerk