

ORDINANCE NO. 09-10-2024

AN ORDINANCE OF THE CITY OF RYLAND HEIGHTS, IN KENTON COUNTY, KENTUCKY, AMENDING THE RYLAND HEIGHTS CODE OF ORDINANCES TO PROHIBIT THE OPERATION OF ANY MEDICAL CANNABIS FACILITIES IN THE CITY AS PERMITTED BY KRS 218B.130.

WHEREAS, the Commonwealth of Kentucky has adopted KRS 218B.010, et. seq., providing for the legalization of the use of medical cannabis and the operation of medical cannabis facilities in the Commonwealth pursuant to the terms and conditions of said state law, which statutes *inter alia* contain KRS 218B.130 which allows local governments like this City to prohibit all cannabis business operations within its territories through passage of an ordinance; and

WHEREAS, the City of Ryland Heights has only two zoning districts, an Agriculture zone and a Residential zone, neither of which permits industrial, or retail uses and hence could not accommodate medical cannabis land uses:

WHEREAS, for the reasons stated above, which the City Commission finds as true and accurate, the City Commission hereby determines it to be in the interest of public health, safety and welfare to prohibit the operation of any medical cannabis facilities in the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF RYLAND HEIGHTS, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:

SECTION 1

A new section of the Ryland Heights Code of Ordinance, numbered as Section 10.19, shall be added stating as follows:

Pursuant to KRS 218B.130, all cannabis business operations as defined in KRS 218B.010 shall be prohibited within the City of Ryland Heights.

SECTION 2

Any and all Ordinances in conflict with this Ordinance shall be, and hereby are, repealed to the extent of said conflict.

SECTION 3

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the

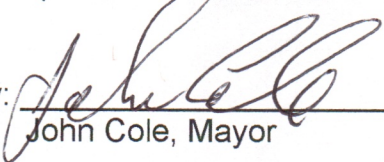
effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

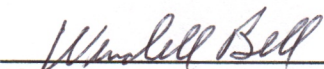
SECTION 4

That this ordinance shall become effective upon its passage and shall be published under KRS 83A.060(9) and other applicable law. This ordinance may be published by summary.

Passed by City Council on September 10, 2024

CITY OF RYLAND HEIGHTS, KENTUCKY
A Municipal Corporation of the Home Rule Class

ATTEST By: 
John Cole, Mayor

ATTEST By 
Wendell Bell, City Clerk

Sponsor:

First Reading: August 13, 2024, By City Attorney Ted Knoebber

Second Reading: September 10, By Mayor Cole

Roll Call Vote

Mayor Cole	<input checked="" type="checkbox"/>	Aye	<input type="checkbox"/>	Nay
Commissioner Bowman	<input checked="" type="checkbox"/>	Aye	<input type="checkbox"/>	Nay
Commissioner Claggett	<input checked="" type="checkbox"/>	Aye	<input type="checkbox"/>	Nay
Commissioner Collins	<input checked="" type="checkbox"/>	Aye	<input type="checkbox"/>	Nay
Commissioner Ponder	<input checked="" type="checkbox"/>	Aye	<input type="checkbox"/>	Nay

Ayes: 5

Nays: 0

Abstentions:

Absent:

Publication: Sept. 15, 2024