

North Canton City Council
Personnel and Safety Committee
Ordinance No. 3 - 2018

An ordinance amending the City of North Canton's Employee Handbook by including in the Drug Testing Policy notice that the City shall neither permit nor accommodate an employee's use, possession, or distribution of medical marijuana, and declaring the same to be an emergency.

WHEREAS, Ohio's General Assembly adopted and its Governor signed into law House Bill 523, codified in Chapter 3796 of the Ohio Revised Code; and

WHEREAS, the federal government regulates drugs through the Controlled Substances Act, which classifies marijuana as a Schedule 1 drug with no currently accepted medical use, together with a high potential for abuse. 21 U.S.C. 812.

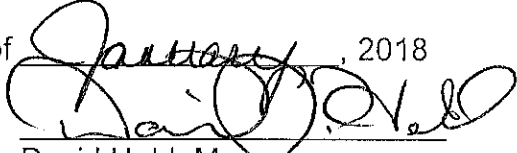
WHEREAS, pursuant to the Controlled Substances Act, North Canton has enacted and codified Chapter 531, Drug Abuse Control, therein banning the cultivation, processing, and sale of marijuana; and

WHEREAS, this Council has determined in the best interest of the City's health, welfare, and safety that it shall neither permit nor accommodate a City employee's use, possession, or distribution of medical marijuana. Ohio Revised Code Section 3796.08. A copy of the amended Drug Testing Policy is attached hereto and included herein.

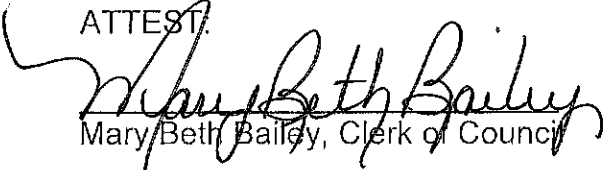
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That the federal government regulates drugs through the Controlled Substances Act, which classifies marijuana as a Schedule 1 drug with no currently accepted medical use, together with a high potential for abuse. 21 U.S.C. 812.
- Section 2. That pursuant to the Controlled Substances Act, North Canton has enacted and codified Chapter 531, Drug Abuse Control, therein banning the cultivation, processing, and sale of marijuana.
- Section 3. That this Council has determined in the best interest of the City's health, welfare, and safety that it shall neither permit nor accommodate a City employee's use, possession, or distribution of medical marijuana. Ohio Revised Code Section 3796.08.
- Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton, and further necessary to protect our guests, residents, and workforce—the City itself—from the consequences relating to a City employee’s use, possession, and distribution of marijuana, be it for medical purposes or otherwise; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this 27th day of January, 2018

David Held, Mayor

Signed: 1/30, 2018

ATTEST.

Mary Beth Bailey, Clerk of Council