



## Legislation Details (With Text)

**File #:** ORD-0045-2024 **Version:** 1 **Name:**

**Type:** Ordinance **Status:** On Consent Agenda

**File created:** 6/20/2024 **In control:** City Council

**On agenda:** **Final action:**

**Title:** AN ORDINANCE AMENDING CHAPTER 737 TOBACCO PRODUCT SALES SECTIONS 737.04 AND 737.14 OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. LEG-RPT- TRL Amendment Report to Council 6.24.24 COTW.pdf, 2. ORD-0045-2024 EXHIBIT A - LEG-ATT TRL Amendment - CLEAN.pdf, 3. ORD-0045-2024 EXHIBIT A - LEG-ATT TRL Amendment - REDLINE.pdf

Date	Ver.	Action By	Action	Result
7/1/2024	1	City Council		
6/24/2024	1	Committee of the Whole	Recommended for Introduction, Next Agenda Consent	

AN ORDINANCE AMENDING CHAPTER 737 TOBACCO PRODUCT SALES SECTIONS 737.04 AND 737.14 OF THE CODIFIED ORDINANCES OF THE CITY OF GAHANNA

**WHEREAS**, on December 18, 2023, Council passed Ordinance 0071-2023 adopting Chapter 737 - Tobacco Product Sales, regulating the sale of tobacco products by requiring a Tobacco Retail License; and

**WHEREAS**, this Ordinance required contracting with the Franklin County Public Health for the administering the program on behalf of the City of Gahanna; and

**WHEREAS**, initiation of the Tobacco Retail License program in partnership with Franklin County Public Health was delayed due to the State of Ohio's preemption of Chapter 737 through Ohio Revised Code (ORC) 9.681; and

**WHEREAS**, on April 1, 2024, Council passed Resolution 0014-2024 to join the City of Columbus as co-plaintiff in a legal action challenging ORC 9.681; and

**WHEREAS**, on May 23, 2024, relief was granted for a permanent injunction against the State in enforcing ORC 9.681, prompting negotiations to resume on the Tobacco Retail License program with

Franklin County Public Health; and

**WHEREAS**, the City Attorney has recommended amendments to the Codified Ordinances Sections 737.04 and 737.14 to address necessary changes in application deadlines and severability.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA,  
COUNTY OF FRANKLIN, STATE OF OHIO:**

**Section 1.** That Code Sections 737.04 - License Required and 737.14 - Other Laws are hereby amended and adopted as set forth in EXHIBIT A, attached hereto and made a part herein.

**Section 2.** That this Ordinance shall be in full force and effect after passage by this Council and 30 days after the date of signature of approval by the Mayor.