1	ORDINANC	E NO. <u>2018-460</u>			
2					
3	SPONSOR _	Ms. Shapiro			
4					
5	DATE		COMMITTEE	Personnel	
6					
7		<u> </u>	169.28 of the Codified Ordin	•	
8			Prevention Policy," and Section		
9	· ·	•	ommodation," to regulate the u	•	
10			utive's Department of Human	Resources, and declaring	
11	an emergenc	cy.			
12	WHE	DEAC the Ohio Conom	al Assambly anastad Substitute	House Dill Number 522	
13	WHEREAS, the Ohio General Assembly enacted Substitute House Bill Number 523,				
14 15	effective September 8, 2016, which legalized medical marijuana in Ohio; and				
16	WHE	DEAS Section 3706 29	R of the Ohio Revised Code ("(OPC") provides that an	
17	WHEREAS, Section 3796.28 of the Ohio Revised Code ("ORC") provides that an employer is not required, but may choose to permit or accommodate the use of medical				
18	marijuana by its employees; and				
19	manjaana oy	nts emproyees, and			
20	WHEREAS, the County of Summit has determined that it shall permit and regulate the				
21	use of medical marijuana by County employees, provided that				
22		3 3 3	1 7 / 1		
23	(i)	all County employees	shall be prohibited from using n	nedical marijuana so as to	
24	. ,	• •	der the influence during the so	•	
25		employment; and			
26					
27	(ii)	• • •	shall be prohibited from possessi	· ·	
28		related paraphernalia v	while on County property or in a C	County vehicle; and	
29					
30	(iii)	J 1 J	t perform safety sensitive duties	shall be strictly prohibited	
31		from using medical ma	rijuana; and		
32	337111	DEAG 41 C 4 1		11 4 14	
33	WHEREAS, the County has further determined that it shall not accommodate as a				
34 35	disability an employee's use of medical marijuana as an approved treatment for any of the qualifying conditions as defined by ORC § 3796.01; and				
36	quantying co	number as defined by O	KC § 3/90.01, and		
37	WHE	REAS the County has f	urther determined that an employ	ee who tests nositive for a	
38	WHEREAS, the County has further determined that an employee who tests positive for a medical marijuana product after an accident shall be ineligible for Workers' compensation; and				
39	medicai mari	juuna product unter un de	erdent shan be mengiole for wor	kers compensation, and	
40	WHE	REAS, in order to regula	ate the use of medical marijuana b	ov County employees, it is	
41	necessary to amend Section 169.28 of the Codified Ordinances of the County of Summit, entitle				
42	"Substance Abuse Prevention Policy," and Section 169.277 of the Codified Ordinance, entitled				
43	"Disability Accommodation; and				
44	ž				
45	WHEREAS, this Council finds and determines, after reviewing all pertinent information				
46	that it is necessary and in the best interest of the County of Summit to amend Section 169.28 and				
47	Section 169.27 of the Codified Ordinances to regulate the use of medical marijuana be County				
48	employee;				

NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit, State of Ohio, that:

1	ORDINANCE NO2018-460				
2	PAGE TWO				
3					
4	SECTION 1				
5 6	Section 169.28 of the Codified Ordinances of the County of Summit, entitled "Substance				
7	Abuse Prevention Policy," is hereby amended as set forth in Exhibit A. which is attached hereto				
8	and incorporated herein as if fully rewritten.				
9	and meorporated nerein as it fully rewritten.				
10	SECTION 2				
11					
12	Section 169.27 of the Codified Ordinance, entitled "Disability Accommodation," is				
13	hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein as i				
14	fully rewritten.				
15	·				
16	SECTION 3				
17					
18	This Ordinance is hereby declared an emergency in the interest of the health, safety, and				
19	welfare of the residents of the County of Summit, and for the further reason that it will				
20	immediately regulate the use of medical marijuana by County employees prior to the practical				
21	availability of the same in the State of Ohio so as to ensure that it does not affect the				
22	performance of their job duties.				
23					
24	SECTION 4				
25					
26	Provided this Ordinance receives the affirmative vote of eight members, it shall take				
27	effect immediately upon its adoption and approval by the Executive; otherwise, it shall take				
28	effect and be in force at the earliest time provided by law.				
29	CECTION 5				
30	SECTION 5				
31	It is found and determined that all formed actions of this Council concerning and relating				
32	It is found and determined that all formal actions of this Council concerning and relating				
33 34	to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all				
35	deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section				
36	121.22 of the Ohio Revised Code.				
30 37	121.22 of the Offio Revised Code.				
38	INTRODUCED November 19, 2018				
39	INTRODUCED				
40	ADOPTED				
41					
42					
43	CLERK OF COUNCIL PRESIDENT OF COUNCIL				
44					
45	APPROVED				
46					
47					
48	EXECUTIVE				
49					
50	ENACTED EFFECTIVE				