



Ohio Administrative Code

Rule 3796:6-3-02 Dispensary premises generally.

Effective: July 24, 2023

- (A) The premises of a dispensary shall be located within Ohio.
- (B) Pursuant to section 3796.30 of the Revised Code, no boundary of a parcel of real estate having situated on it a proposed dispensary shall be located within five hundred feet of the boundaries of a parcel of real estate having situated on it a school, church, public library, public playground, public park, or an opioid treatment program as defined in rule 3796:6-1-01 of the Administrative Code.
- (C) The dispensary shall be equipped as to land, buildings, and equipment to properly carry on the business of a medical marijuana dispensary.
- (D) The dispensary certificate of operation shall be prominently displayed at the location where the licensee is authorized to operate.
- (E) The premises and operations of a licensee shall conform to all relevant fire codes, local zoning and planning requirements.
- (F) It is the responsibility of a dispensary's associated key employees to promptly notify the state board of pharmacy of any change of the principal place of business.
- (G) No major renovation or modification shall be undertaken without notification to and inspection and approval from the state board of pharmacy and submittal of the required fee. Such renovations include, but are not limited to:
- (1) New facilities to be constructed or used for medical marijuana; and
 - (2) Work or storage areas to be constructed or used for medical marijuana.
- (H) All lighting outside and inside of a dispensary location must be maintained in good working



order and wattage sufficient for clear security and surveillance.

(I) A dispensary shall ensure that any building or equipment used by a dispensary for the storage or sale of medical marijuana is maintained in a clean and sanitary condition.

(J) Each dispensary that sells edible medical marijuana products shall display a placard that states the following: "Edible medical marijuana products were produced in a kitchen, not subject to public health inspections, that may also process common food allergens."

(1) The placard shall be no smaller than twenty-four inches tall by thirty-six inches wide, with typed letters no smaller than two inches.

(2) The placard shall be clearly visible and readable by customers and shall be written in English.

(3) The signage shall be placed in the area where edible medical marijuana products are sold, and may be translated into additional languages as needed.

(K) A dispensary shall display a placard, meeting the specifications of the placard described in paragraph (J) of this rule, providing a warning specified by the state board of pharmacy if the board determines that the warning is necessary to avoid imminent harm to public health.

(L) A dispensary shall have an enclosed delivery bay or equally secured delivery area where medical marijuana deliveries will be made pursuant to a standard operating procedure to be approved by the board.

(M) A dispensary shall have a day-storage area for medical marijuana product with pass-through window(s).

(N) A dispensary shall have an approved vault in conformance with C.F.R. 1301.72(a)(3)(6/30/2021) that is in a location not visible to the public.

(O) A dispensary shall have a "mantrap" at any ingress/egress from the dispensary department.



(P) A dispensary shall establish, maintain and comply with written policies and procedures for the safe handling, security, inventory and distribution of medical marijuana. Such policies and procedures shall include methods for identifying, recording and reporting diversion, theft or loss, for correcting errors and inaccuracies in inventories and any other required policy set forth in Chapter 3796. of the Revised Code and this division.

(Q) Notwithstanding any other provision of this chapter of the administrative code, a dispensary may sell medical marijuana products to patients and caregivers outside the dispensary building in accordance with all the following:

- (1) The purchase of product, including all monetary transactions, shall take place on the dispensary's property (i.e., parking lot or sidewalk of dispensary);
- (2) Dispensaries shall not deliver medical marijuana to a patient or caregiver's home.
- (3) The patient or caregiver's card must be verified prior to purchase.
- (4) Any money collected shall be taken into the dispensary department after each transaction.
- (5) Medical marijuana products, including those that are awaiting pick-up, shall be maintained in the dispensary department until the patient arrives.
- (6) Security shall be present for outdoor transactions of medical marijuana products.
- (7) Outdoor transactions may only occur between the hours of eight am and seven pm EST.
- (8) A dispensary shall comply with all other dispensing requirements (labeling, reporting to OARRS, etc.) for medical marijuana.