

MONTCALM TOWNSHIP
Montcalm COUNTY, MICHIGAN

ORDINANCE NO.0-2019-1
AN ORDINANCE TO PROHIBIT MARIHUANA
ESTABLISHMENTS AND FACILITIES IN MONTCALM
TOWNSHIP

THE TOWNSHIP OF MONTALM ORDAINS:

Section 1. Definitions of Marihuana Establishments and Facilities.

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *IHRA* means the Industrial Hemp Research Act, 2014 PA 547, MCL 286.841 *et seq.*
- (b) *Marihuana establishment* means that term as defined in the MRTMA.
- (c) *Marihuana facility* means that term as defined in the MMFLA.
- (d) *MMFLA* means the Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended.
- (e) *MMMA* means the Michigan Medical Marihuana Act, 2008 IL 1, as amended.
- (f) *MRTMA* means the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, as amended.

Section 2. Marihuana Establishments and Facilities Prohibited.

- (a) Pursuant to law and Section 6 of the MRTMA, marihuana establishments are prohibited within the boundaries of the Township.
- (b) Marihuana facilities are prohibited within the boundaries of the Township.

Section 3. Rights Unaffected by Article.

- (a) Except as specifically provided in Section 2, this Ordinance shall not affect the rights or privileges of any individual or other person preserved under the MRTMA.
- (b) This Ordinance does not affect the rights or privileges of a marihuana facility outside of the Township to engage in activities within the Township that it is permitted to engage in under the MMFLA within a municipality that has not authorized marihuana facilities to operate within its boundaries.

- (c) This Ordinance does not affect the rights or privileges of registered qualifying patients or registered primary caregivers under the MMMA or the MMFLA.
- (d) This Ordinance does not affect the rights or privileges of any individual or other person under the IHRA.
- (e) This Ordinance does not affect the rights or privileges of any individual or other person under any other federal or state law, rule or regulation related to the medical use of marihuana.

Section 4. Effective Date. This Ordinance shall take effect the day following its publication (or a summary hereof) in a newspaper of general circulation within the Township.

The vote in favor of this Ordinance was as follows:

YEAS: Sprague, Rau, Hyde, Crowley

NAYS:

ABSENT/ABSTAIN: Richards

ORDINANCE NO.0-2019-1 DECLARED ADOPTED.

Jessica Shearer

Clerk

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Township Board for Montcalm Township on January 9, 2019 above pursuant to the required statutory procedures.

Respectfully submitted,

By Jessica Shearer

Montcalm Township Clerk

