

Erie Township – Ordinance No. 120
Monroe County, Michigan
Marihuana Business Moratorium Ordinance

An ordinance to protect the public health, safety and general welfare as Erie Township is desirous of providing for an open, informed, and deliberative process to determine whether within the Township of Erie growing and distribution of medical marihuana[marijuana], if any, should occur, and whether other regulatory controls should be implemented, establishing a moratorium on the issuance of any permit or zoning compliance, processing of any permit or zoning compliance application, processing of any rezoning request, processing of any site plan review, special land use request, or any other application for, and on the establishment within the Township of any business for medical marihuana sale or dispensation, marihuana provisioning centers, marihuana safety compliance facilities, or sale of substances that mimic the effects of controlled drugs or substances, and for a grower, processor, provisioning center, safety compliance center, and secure transporter as set forth in HB 4209.

THE TOWNSHIP OF ERIE, MONROE COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

This ordinance shall be known and cited as the Erie Township Marihuana Business Moratorium Ordinance.

Section 2: Establishment of Moratorium

A six month moratorium or until such time as regulations, ordinances and land use rules are established by Erie Township on the issuance of any permit or zoning compliance, processing of any permit or zoning compliance application, processing of any rezoning request, processing of any site plan review, special land use request, or any other application for, and on the establishment within the Township of any business for medical marihuana sale or dispensation, marihuana provisioning centers, marihuana safety compliance facilities, or sale of substances that mimic the effects of controlled drugs or substances, and for a grower, processor, provisioning center, safety compliance center, and secure transporter as set forth in HB 4209.

Section 3: Severability

The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

Section 4: Savings Clause

This Ordinance herein does not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 5: Effective Date

This Ordinance shall be published once in a newspaper having general circulation in Erie Township and shall take effect immediately after the first publication as required by law following adoption by the Township Board.

By: Jolene Upchurch
Jolene Upchurch, Township Clerk

AUTHENTICATED:

By: William Frey
William Frey, Township Supervisor

I, Jolene Upchurch, do hereby certify that I am the duly elected and acting Clerk of the Township of Erie, and I do hereby certify that this Ordinance was adopted by the Township Board of the Township of Erie, Monroe County, Michigan, at a special meeting of the Township Board held at the Erie Township Hall, Erie, Michigan, on the 29th day of September, 2016

The vote on said Ordinance was as follows 4 members being present, 1 members being absent.

Member's Last Name

Voting in Favor: Upchurch Grodi

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Voting Against: Frey

Abstained: 0

Absent: 1

Clerk's Certification

I, Jolene Upchurch, do hereby certify that this Ordinance or a summary thereof was published on the 6th day of October in the Monroe Evening News, Monroe County, Michigan, a newspaper of general circulation in the Township of Erie, within thirty (30) days after adoption of the Ordinance.

Dated: October 3, 2016

By: Jolene Upchurch
Jolene Upchurch, Erie Township Clerk

ATTEST:
William Frey
William Frey, Erie Township Supervisor

ADOPTED: September 29, 2016

PUBLISHED: October 6, 2016

EFFECTIVE: November 5, 2016