

**GARFIELD TOWNSHIP**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION TO ADOPT ORDINANCE NO. \_\_\_\_\_,  
ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS  
UNDER INITIATED LAW 1 OF 2018, THE MICHIGAN REGULATION AND  
TAXATION OF MARIHUANA ACT**

At the meeting of the Township Board of the Township of Garfield, Bay County, State of Michigan, on the 13th day of May, 2019, at 7:00 p.m.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_.

**WHEREAS**, Public Act 246 of 1945, MCL 41.181 *et seq.*, as amended, authorizes a township board to adopt and amend ordinances that regulate the public health, safety and general welfare of persons and property and to codify such ordinances; and

**WHEREAS**, on November 6, 2018, Michigan voters approved Initiated Law 1 of 2018, known as the Michigan Regulation and Taxation of Marihuana Act (“2018 Marihuana Act”); and

**WHEREAS**, among other things, the 2018 Marihuana Act makes marihuana legal under state and local law for adults 21 years of age or older, makes industrial hemp legal under state and local law, and controls the commercial production and distribution of marihuana under a system that licenses, regulates, and taxes the businesses involved; and

**WHEREAS**, Section 6 of the 2018 Marihuana Act authorizes a municipality to completely prohibit or limit the number of marihuana establishments within its boundaries. A “marihuana establishment” under the 2018 Marihuana Act means a marihuana grower,

marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by the Michigan Department of Licensing and Regulatory Affairs; and

**WHEREAS**, the Township has considered the potential benefits, challenges, and costs of permitting marihuana establishments within its boundaries and has determined that prohibiting marihuana establishments is in the best interest of the public health, safety, and welfare; and

**WHEREAS**, the Township wishes to adopt an ordinance prohibiting marihuana establishments within its boundaries.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Pursuant to the authority granted to the Township by Public Act 246 of 1945, MCL 41.181 *et seq.*, as amended, and the Michigan Regulation and Taxation of Marihuana Act, and any other applicable statutory authority, the Board hereby adopts Ordinance No. \_\_\_\_\_, An Ordinance Prohibiting Marihuana Establishments Under Initiated Law 1 of 2018, the Michigan Regulation and Taxation of Marihuana Act (the "Ordinance," attached as Exhibit A).

2. The Township Clerk, in accordance with MCL 41.184, shall publish either a true copy or a summary of the Ordinance once in a newspaper of general circulation in the Township within 30 days after adoption.

3. Any and all resolutions or parts of resolutions inconsistent with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

A roll call vote on the foregoing resolution was taken and was as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED

**CERTIFICATION**

I, Connie Fantozzi, Garfield Township Clerk, hereby certify that the foregoing is a true and complete copy of the Resolution adopted by the Township Board at a meeting on May 13, 2019.

\_\_\_\_\_  
Connie Fantozzi  
Garfield Township Clerk