

**LAKE TOWNSHIP, HURON COUNTY
ORDINANCE NO. 2011-01**

Effective Date: May 27, 2011

An Interim Ordinance Imposing a Temporary Moratorium on Certain Land Uses Connected with the Use of Marijuana for Medical Purposes.

WHEREAS, the State of Michigan, by voter referendum of November, 2008, approved the use of medical Marijuana; and

WHEREAS, this law has been identified as Initiated Law 1 of 2008, MCL 333.26421 *et seq.*, and executive reorganization order numbers 1996-1, 1996-2 and 2003-1, MCL 330.3101, MCL 445.2001 and MCL 445.2011; and

WHEREAS, such laws and state regulations have not addressed the appropriate land uses associated with these activities; and

WHEREAS, the present ordinances of the Township do not address the proper locations of such activities, since many of the activities were illegal until the recent referendum and were not permitted anywhere in the Township; and

WHEREAS, absent this moratorium, unregulated land uses could likely cause substantial issues for the Township such as mixed commercial, agricultural and residential uses, quasi-industrial uses in residential or commercial areas, uses that could be incompatible with public uses such as schools, and

WHEREAS, the Township has a legitimate purpose in addressing the proper locations and land uses for this new activity in appropriate areas; and

WHEREAS, this review process will take at least several months to properly accomplish; and

WHEREAS, the Township is legitimately concerned that uses may be established in inappropriate or inadvisable locations before revised ordinances can be drafted and enacted, thereby defeating the purpose of the township's ordinances; and

WHEREAS, it is a routine and appropriate method to forestall such problems to enact a reasonable moratorium on all land uses for medical marijuana until new ordinances can be drafted and enacted.

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Lake Township as follows:

LAKE TOWNSHIP ORDAINS:

Section 1: Lake Township hereby temporarily prohibits, pending further study and implementation of appropriate permanent ordinances, the use of land or buildings for the following activities and uses:

1. Cultivation or processing of marijuana;
2. Distribution or dispensing of marijuana;
3. Smoking or other administration of marijuana;
4. Stores for specialized equipment for cultivating, processing, distributing, or administering marijuana; and
5. Specialized schools or training for cultivating, processing, distributing, or administering marijuana.

Section 2: Nothing in this moratorium ordinance shall deny a properly licensed person from exercising his or her rights under Initiated Law 1 of 2008 with respect to the personal use of marijuana for medical purposes. Further, the provisions of this moratorium are declared to be severable.

Section 3: This moratorium ordinance forbidding such land use shall terminate and be of no further effect upon the effective date of a land use ordinance regulating such activities or after six months from the effective date of this moratorium, whichever shall first occur.

Section 4: The Clerk of Lake Township shall publish this ordinance in the manner prescribed by law.

Section 5: This ordinance shall take effect immediately after its publication as required by law.

At a regular meeting of the Township Board held on the 16th day of May, 2011, it was moved by Dorothy Fischer and supported by Dale Hartsell that this Ordinance No. 2011-01 be introduced and adopted.

AYES: William Osborne, Dorothy Fischer, Robert Smith, Dale Hartsell

NAYS: Valerie McCallum

I, Valerie McCallum, Clerk of Lake Township, hereby certify this to be a true and complete copy of Ordinance No. 2011-01, duly adopted at a regular meeting of the Township Board held on the 16th day of March, 2011.

A handwritten signature in cursive script, reading "Valerie J. McCallum". The signature is written in black ink and is positioned above a horizontal line.

Valerie J. McCallum, Clerk