

Resolution #2016-62

A RESOLUTION ADOPTING A MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA FACILITIES

Purpose and Finding: As the council is aware, the Michigan Legislature has recently enacted Public Act 281 of 2016, which regulates medical marijuana facilities. This Act takes effect December 20, 2016. Within the Act, there is a provision that allows for local regulation of medical marijuana facilities. Specifically, Section 205(1) of the Act prohibits a medical marijuana facility from operating within a municipality unless the City has passed an ordinance to authorize its operation. The City does not presently have an ordinance regulating the medical marijuana facilities. A moratorium is requested at this time to allow the City to study whether such an ordinance is desired, the potential negative impact(s) of such an ordinance, and the substance of the ordinance. The moratorium would be in place for 180 days.

Council Member French moved, supported by Council Member Krause, to approve the following resolution.

RESOLVED, that the City of Albion Staff and City Attorney are hereby directed to study the potential harmful effects associated with medical marijuana facilities and the current and immediate threat such effects pose to the public health, safety, and welfare. The staff and attorney shall also study possible amendments to the City's Zoning Code related to medical marijuana facilities that may mitigate the potential threat to the public health, safety, and welfare.

BE IT FURTHER RESOLVED, that a Moratorium is hereby imposed. For the period commencing on the date of this Resolution, October 17, 2016, and terminating 180 days from the date of this Resolution, March 17, 2017, there shall be no consideration or action taken by the City, its employees, or agents, on a proposal for the establishment of a medical marijuana facility in the City. During the 180-day moratorium, medical marijuana facilities shall not be permitted in the City of Albion.

Date: October 17, 2016

Ayes: 7

Nays: 0

Absent: 0

I certify that this resolution was adopted by the City Council of the City of Albion on October 17, 2016.

Jill Domingo

Jill Domingo
City Clerk