

ORDINANCE NO. 552 Adopted 8/19/10

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF BRIGHTON, MICHIGAN, BY AMENDING CHAPTER 22 OF THE CODE BY ADDING NEW ARTICLE XI, MEDICAL MARIHUANA, AND A NEW SECTION 22-341.

WHEREFORE, On November 4, 2008, the voters of Michigan passed the Michigan Medical Marihuana Act. This Act provides no guidance to local governments regarding the sale and dispensing of medical marihuana. As a result, municipalities throughout Michigan are struggling with legal and zoning issues related to the sale and dispensing of medical marihuana.

WHEREFORE, the sale or dispensation of medical marihuana is not currently addressed in the City of Brighton Code of Ordinances.

WHEREFORE, processing applications for permits, licenses, certificates or other approvals for uses associated with the sale or dispensation of medical marihuana prior to the amendment of the Code of Ordinances would be detrimental to the public health, safety, and general welfare.

WHEREFORE, the City of Brighton desires to ascertain the best and safest means to comply with the Michigan Medical Marihuana Act, P.A. 2008, MCL 333.26423(d) in order to protect the public health, safety and general welfare.

WHEREFORE, further study and preparation are necessary in order to analyze potential impacts and to draft appropriate amendments to the Code of Ordinances, and it is necessary to immediately forbid the issuance of permits and licenses for uses associated with the sale or dispensation of medical marihuana until an amendment to the Code of Ordinances becomes effective.

THE CITY OF BRIGHTON, LIVINGSTON COUNTY, HEREBY ORDAINS:

- I. That a new Article XI, Medical Marihuana shall be added to Chapter 22.
- II. That a new Section 22-341 of Article XI of Chapter 22 is hereby added and shall read as follows:

A moratorium is established on the issuance of all City permits, licenses, certificates, and any and all other approvals, including building permits, land use permits, and certificates of occupancy or re-occupancy, in regard to land uses associated with the sale or dispensation of medical marihuana for a period not to exceed six months, or until the effective date of the adoption of amendments to the Zoning Ordinance and any necessary licensing requirements, whichever occurs first.

III. This Ordinance shall be in full force and effect fifteen (15) days from the adoption as provided by the Brighton City Charter.

DIANA LOWE, City Clerk