

**VILLAGE OF SARANAC  
ORDINANCE NO. 104**

**ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS  
UNDER INITIATED LAW 1 OF 2018, THE MICHIGAN REGULATION AND  
TAXATION OF MARIHUANA ACT**

**Section 1. Findings.**

1. 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”). 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.
2. 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.
3. The State of Michigan’s Marijuana Regulatory Agency (“MRA”) anticipates releasing emergency rules for the regulation of adult-use marijuana in the immediate future. Ninety days after issuance of the emergency rules, the MRA may begin accepting applications for marijuana establishments.
4. The Village is continuing to evaluate the potential benefits, challenges, and costs of permitting adult-use marihuana establishments within its boundaries, and wishes to review the emergency rules as part of that process. To allow sufficient time for such review and evaluation, and to ensure that the MRA does not issue licenses for marijuana establishments in the Village in the absence of Village regulations, the Village has determined that prohibiting marihuana establishments at this time is in the best interest of the public health, safety, and welfare.

**Section 2. Prohibition on Marihuana Establishments.**

1. Pursuant to Section 6 of the 2018 Marihuana Act, the Village prohibits marihuana establishments within its boundaries.
2. The Village may repeal this Ordinance in the future and adopt an ordinance that authorizes, limits, and/or regulates marijuana establishments in a manner consistent with the 2018 Marihuana Act and all applicable administrative rules. Unless and until this Ordinance is repealed, this Ordinance shall remain in full force and effect.

**Section 3. Scope.**

Nothing in this Ordinance shall be construed to prohibit activities that are permitted under the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 *et seq.*

**Section 4. Validity and Severability.**

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

**Section 5. Repealer Clause.**

Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 6. Effective Date.**

This Ordinance shall take effect immediately upon publication.

**VILLAGE OF SARANAC**

**RESOLUTION NO. 070819**

**RESOLUTION TO ADOPT ORDINANCE NO. 104,  
AN ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS  
UNDER INITIATED LAW 1 OF 2018, THE MICHIGAN REGULATION AND  
TAXATION OF MARIHUANA ACT**

At a meeting of the Village Council of the Village of Saranac, Ionia County, State of Michigan, on the 8th day of July, 2019, at 7:00 p.m.

PRESENT: Darby, Doll, Klutman, Mulnix, Simmons, Whorley  
ABSENT: None.

The following resolution was offered by Mulnix and supported by Klutman

**WHEREAS**, pursuant to the authority granted by the General Law Village Act, 1895 PA 3, the Village has the authority to exercise all municipal powers in the administration of the municipal government, whether such powers are expressly enumerated or not, and to do any act to advance the interests, good government, and prosperity of the Village; and

**WHEREAS**, in the performance of its functions, it is necessary and appropriate for the Council to protect the health, safety and welfare of Village residents; 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 State of Michigan’s Marijuana Regulatory Agency (“MRA”) anticipates releasing emergency rules for the regulation of adult-use marijuana in the immediate future; and

**WHEREAS**, ninety days after issuance of the emergency rules, the MRA may begin accepting applications for marijuana establishments; and

**WHEREAS**, the Village is continuing to evaluate the potential benefits, challenges, and costs of permitting adult-use marihuana establishments within its boundaries, and wishes to review the emergency rules as part of that process; and

**WHEREAS**, to allow sufficient time for such review and evaluation, and to ensure that the MRA does not issue licenses for marijuana establishments in the Village in the absence of Village regulations, the Village has determined that prohibiting marihuana establishments at this time is in the best interest of the public health, safety, and welfare.

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

1. Pursuant to the authority granted to the Village by the General Law Village Act and the Michigan Regulation and Taxation of Marihuana Act, and any other applicable statutory authority, the Board hereby adopts Ordinance No. 104, 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 Village Deputy Clerk/Treasurer, 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 Village within 15 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.

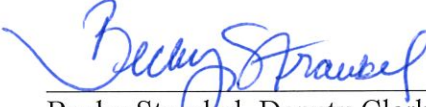
A roll call vote on the foregoing resolution was taken and was as follows:

AYES: Darby, Doll, Kleutman, Mulnix, Simmons, Whorley  
NAYS: None

RESOLUTION DECLARED ADOPTED

#### CERTIFICATION

I, Becky Straubel, Village of Saranac Deputy Clerk/Treasurer, hereby certify that the foregoing is a true and complete copy of the Resolution adopted by the Village Council at a meeting on July 8, 2019.

  
Becky Straubel, Deputy Clerk/Treasurer  
Village of Saranac