

ORDINANCE NO. 59

**AN ORDINANCE TO IMPOSE A MORATORIUM
ON THE ISSUANCE OF PERMITS, LICENSES OR APPROVALS FOR THE USE OF
PROPERTY FOR THE SALE OR DISPENSATION OF MEDICAL MARIJUANA**

PUTNAM TOWNSHIP ORDAINS:

Section 1: **Findings.** In accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 *et seq.*, and Public Act 246 of 1945, MCL 41.181 *et seq.*, Putnam Township ("Township") has determined that:

1. When the Township adopted its Zoning Ordinance, the Initiated Law 1 of 2008, the Michigan Medical Marihuana Act, was not contemplated.

2. Pursuant to the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 *et seq.*, and Public Act 246 of 1945, MCL 41.181 *et seq.*, the Township has the authority to establish reasonable regulations to control the sale and dispensation of medical marijuana in order to protect the public health, safety and welfare of persons and property and in a manner consistent with the Michigan Medical Marihuana Act.

3. The Township desires to consider the best way to address the Michigan Medical Marihuana Act in order to protect the public health, safety, and welfare of Township residents.

4. Imposing a moratorium, on a limited temporary basis, is reasonable and necessary in order to allow time for review of and potential amendments to the Township's Ordinances and Zoning Ordinance.

5. A moratorium should be imposed upon the issuance of any and all permits, licenses and approvals for any property subject to or under the jurisdiction of the Putnam Township Zoning Ordinance for the use of property for the sale and dispensation of medical marijuana for six (6) months or until an amendment to the Putnam Township Zoning Ordinance and/or the Township's Code of Ordinances, whichever occurs first.

Section 2: **Moratorium.** A moratorium is hereby imposed upon the issuance of any and all permits, licenses or approvals for any property subject to or under the jurisdiction of the Putnam Township Zoning Ordinance for the use of property for the sale or dispensation of medical marijuana, so long as this ordinance is in effect.

Section 3: Term of Ordinance. The moratorium imposed by this ordinance shall remain in effect until the earlier of:

- (1) six (6) months following the effective date of this ordinance, or
- (2) the date when amendments to the Township's Zoning Ordinance and/or Township's Code of Ordinances become effective.

Prior to the expiration of the six-month moratorium, the Township may extend the moratorium by resolution for an additional six (6) months to allow sufficient time to complete amendments to its ordinances.

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 become effective immediately following publication.

STATE OF MICHIGAN
COUNTY OF LIVINGSTON

I, SALLY D. GUYON, Clerk of the Township of Putnam, a Michigan Township, do hereby certify that at a regular meeting of the Putnam Township Board held at the Putnam Township Hall, 3280 W. M-36, Pinckney, Michigan, 48169, in said Township at 7 p.m., Eastern Standard Time, on the 21st day of September, 2011, that the above Ordinance was adopted and that the following Members were present:

Rau, Guyon, Carney, Press, Klein, Chambers and McCloskey

That upon a motion made by Carney and seconded by Guyon, said Ordinance was adopted on the following roll call vote:

Yeas:	Rau, Guyon, Carney, Press, Klein, Chambers and McCloskey
Nays:	None
Abstain:	None
Absent:	None

I further certify that on the 14th day of October, 2011, I caused a synopsis to be published in the Livingston County Daily Press & Argus, a newspaper circulated in the Township of Putnam, and that the Ordinance and the record of publication was duly recorded in the Book of Ordinances of the Township of Putnam. This Ordinance is effective immediately following publication and a

true copy was available for public use and inspection at the offices of the Putnam Township Clerk, 3280 W. M-36, Pinckney, Michigan during regular business hours.

Sally D. Guyon, CMC
Putnam Township Clerk