

**CHARTER TOWNSHIP OF GARFIELD
COUNTY OF GRAND TRAVERSE, MICHIGAN**

RESOLUTION 2017-25-T

**RESOLUTION REGARDING MEDICAL MARIHUANA FACILITIES
AUTHORIZED BY PA 281 OF 2016**

DATED: OCTOBER 24, 2016

WHEREAS, Public Act 281 of 2016 (MCL 333.27101 et. seq.) authorizes the State of Michigan to license five different types of facilities related to medical marihuana (grower, processor, secure transporter, provisioning center, and safety compliance facility); and

WHEREAS, Section 205 of PA 281 of 2016 (MCL 333.27205) provides that “a marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility”; and

WHEREAS, Section 205 of PA 281 of 2016 further provides that “a municipality may adopt other ordinances relating to marihuana facilities within its jurisdiction, including zoning regulations...”; and

WHEREAS, Section 205 of PA 281 of 2016 requires a municipality to respond the State of Michigan, Medical Marihuana Licensing Board, within 90 days after the municipality receives notification from the applicant that a license for one of the five types of medical marihuana facilities authorized by PA 281 of 2016 has been applied for; and

WHEREAS, the Township Board of the Charter Township of Garfield, Grand Traverse County, Michigan is cognizant of its authority to adopt an ordinance or ordinances to authorize the operation of one or more of the five types of medical marihuana facilities by PA 281 of 2016 but desires not to do so.

NOW, THEREFORE, it is hereby resolved as follows:

1. Charter Township of Garfield, Grand Traverse County, Michigan declines to adopt an ordinance authorizing any of the five types of medical marihuana facilities with the Township authorized by PA 281 of 2016; and
2. As a result of the Township’s declination to adopt an ordinance authorizing any of the five types of medical marihuana facilities authorized by PA 281 of 2016, a **“marihuana facility shall not operate in the Township”**; and
3. The Township Clerk and/or the Township Zoning Administrator is authorized to provide a copy of this resolution to the State of Michigan, Medical Marihuana Licensing Board in response to a request to locate a medical marihuana facility authorized by PA 281 of 2016 within the Township or for any other reason authorized by or in response to a request from State of Michigan,

Department of Licensing and Regulatory Affairs or its successor agency or to the Medical Marihuana Licensing Board; and

4. The Township Clerk and/or the Township Zoning Administrator is authorized to provide a copy of this resolution to any applicant requesting the ability to locate a medical marihuana grower, processor, secure transporter, provisioning center or safety compliance facility in the Township as evidence that the same shall not be allowed in the Township; and
5. All resolutions in conflict herewith are repealed; and
6. This resolution is effective immediately upon adoption and shall remain in full force and effect until repealed by the Township Board.

This RESOLUTION was offered by Board member Denise Schmuckal, supported by Board member Molly Agostinelli at a meeting on October 24, 2017. The members of the Township Board voted as follows:

Ayes: Schmuckal, Agostinelli, Blood Law, Walters, McManus

Nays: Korn

Absent and Excused: Duell


The TOWNSHIP SUPERVISOR declared the RESOLUTION duly adopted.


Lanie McManus, Garfield Township Clerk

CERTIFICATE

I, Lanie McManus, the duly elected and acting Clerk of the Charter Township of Garfield, hereby certify that the foregoing constitutes a true and complete copy of a Resolution of the Township Board for the Charter Township of Garfield, adopted during a regular meeting of the Township of Garfield Township Board, Grand Traverse County, Michigan held on October 24, 2017; that the meeting was conducted and public notice of the meeting was given pursuant to and in compliance with the Michigan Open Meetings Act of the State of Michigan; that a quorum of the Board was present and voted in favor of the resolution; and that the minutes of the meeting will be or have been made available as required by the Open Meeting Act.

Dated: 10-25-17


Clerk, Charter Township of Garfield
Grand Traverse County, Michigan