

MARENGO TOWNSHIP CALHOUN COUNTY, MICHIGAN
ORDINANCE AUTHORIZING AND PERMITTING
RECREATIONAL MARIHUANA ESTABLISHMENTS
REVISED 09/28/2021 SEC.3.2.C. FROM UNLIMITED TO 90
ORDINANCE NO. 2019-6

At a regular meeting of the Township Board of Marengo Township, Calhoun County, Michigan, held at the Marengo Township Hall on October 29, 2019, at 7 p.m., Township Board Member Duane Hoffman moved to adopt the following Ordinance, which motion was seconded by Township Board Member Dave Fountain:

An Ordinance to implement the provisions of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, which authorizes the licensing and regulation of Marihuana Establishments and affords the Township the option whether or not to allow Marihuana Establishments; to regulate Marihuana Establishments by requiring a Permit and compliance with requirements as provided in this Ordinance, in order to maintain the public health, safety and welfare of the residents and visitors to the Township.

MARENGO TOWNSHIP ORDAINS:

SECTION 1: TITLE. This ordinance shall be known as and may be cited as the Marengo Township Recreational Marihuana Establishments Licensing Ordinance.

SECTION 2. DEFINITIONS. The following words and phrases shall have the following definitions when used in this Ordinance:

1. “*Application*” means an Application for a Permit under this Ordinance and includes all supplemental documentation attached or required to be attached thereto; the Person filing the Application shall be known as the “*Applicant*.”
2. “*Clerk*” means the Marengo Township Clerk or his/her designee.
3. “*Cultivate*” means as that term is defined in Initiated Act 1 of 2018, Michigan Regulation and Taxation of Marihuana Act (“MRTMA”).
4. “*Marihuana Establishment*” or “*Establishment*” 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 department.
 - a. “*Marihuana grower*,” as that term is defined in the MRTMA; and
 - b. “*Marihuana microbusiness*,” as that term is defined in the MRTMA; and
 - c. “*Marihuana processor*,” as that term is defined in the MRTMA; and
 - d. “*Marihuana retailer*,” as that term is defined in the MRTMA; and
 - e. “*Marihuana secure transporter*,” as that term is defined in the MRTMA.
 - f. “*Marihuana safety compliance facility*,” as that term is defined in the MRTMA.

- g. “*Designated consumption establishment*,” as that term is defined by the Department or as may be defined in the MRTMA;
 - h. “*Excess marihuana grower*,” as that term is defined by the Department or as may be defined in the MRTMA;
 - i. “*Marihuana event organizer*,” as that term is defined by the Department or as may be defined in the MRTMA; and
 - j. “*Temporary marihuana event*,” as that term is defined by the Department or as may be defined in the MRTMA.
5. “*Department*” means the Michigan State Department of Licensing and Regulatory Affairs or any designated Michigan agency authorized to regulate, issue or administer a Michigan License for a Marihuana Establishment.
 6. “*License*” means a current and valid License for a Marihuana Establishment issued by the State of Michigan.
 7. “*Licensee*” means a Person holding a current and valid Michigan License for a Marihuana Establishment.
 8. “*Marihuana*” means that term as defined Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106 and as defined in the MRTMA.
 9. “*Marihuana Accessories*” means that term as defined in the Act.
 10. “*Permit*” means an approval issued by the Township pursuant to the MRTMA that allows a Person to operate an Establishment in the Township under this Ordinance, which Permit may be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property.
 11. “*Permit Holder*” means the Person that holds a current and valid Permit issued under this Ordinance.
 12. “*Permitted Premises*” means the particular building or buildings within which the Permit Holder will be authorized to conduct the Establishment’s activities pursuant to the Permit.
 13. “*Permitted Property*” means the real property comprised of a lot, parcel or other designated unit of real property upon which the Permitted Premises is situated.
 14. “*Person*” means a natural person, company, partnership, trust, profit or non-profit corporation, limited liability company, or any joint venture for a common purpose.
 15. “*Process*” or “*Processing*” means to separate or otherwise prepare parts of the marihuana plant and to compound, blend, extract, infuse, or otherwise make or prepare marihuana concentrate or marihuana-infused products.
 16. “*Public Place*” means any area to which the public is invited or generally permitted in the usual course of business.

17. "Township" means Marengo Township, a township located in Calhoun County, Michigan.

SECTION 3. PERMIT REQUIRED; NUMBER OF PERMITS AVAILABLE; ELIGIBILITY; GENERAL PROVISIONS.

1. The Township hereby authorizes the operation of the following types of Marihuana Establishments, subject to the number of available Permits issued in this Section:
 - a. MRTMA Marihuana Growers, Class A - cultivation of not more than 100 marihuana plants; and
 - b. MRTMA Marihuana Growers, Class B - cultivation of not more than 500 marihuana plants; and
 - c. MRTMA Marihuana Growers, Class C - cultivation of not more than 2,000 marihuana plants.
 - d. Marihuana Processors
 - e. Marihuana Safety Compliance Facilities
 - f. Marihuana Secure Transporters
2. The number of Marihuana Establishment Permits in effect at any time shall not exceed the following maximums within the Township:
 - a. Marihuana Grower Permits, Class A: **5**
 - b. Marihuana Grower Permits, Class B: **5**
 - c. Marihuana Grower Permits, Class C: **90**
 - d. Marihuana Processors: **9**
 - e. Marihuana Safety Compliance Facilities: **1**
 - f. Marihuana Secure Transporters: **1**
 - g. Marihuana Retailers: **0**
 - h. Temporary Marihuana Events: **0**
 - i. Marihuana Microbusinesses: **0**
 - j. Designated Consumption Establishments: **0**
 - k. Marihuana Event Organizer: **0**
 - l. The Township Board may review and amend the above maximums by resolution annually or as it determines to be advisable. Such revisions shall not be the basis for termination or non-renewal of a Permit previously issued.

3. It shall be unlawful for any person to engage in, or be issued a Permit for, the operation of the following Marihuana Establishments:
 - a. Marihuana Retailers
 - b. Temporary Marihuana Events
 - c. Marihuana Microbusiness
 - d. Designated Consumption Establishment
 - e. Marihuana Event Organizer
4. No Permit shall be issued to any Person under this Ordinance unless the Person has previously obtained and currently holds a permit under the Marengo Township Michigan Marihuana Facilities Licensing Ordinance, number 2019-6, as amended, except for any Person applying for a Marihuana Grower Class A Permit.
 - a. No Marihuana Grower Permit under this Ordinance shall issue or be renewed to any Person unless the Person has an equivalent Marengo Township Permit under the Marengo Township Michigan Marihuana Facilities Licensing Ordinance, number 2019-6, and an equivalent State License under the MMFLA, except for any Marihuana Grower Class A Permit.
5. No Person shall operate a Marihuana Establishment at any location within the Township unless a then-currently-effective Permit for a Marihuana Establishment for that Person at that location has been issued under this Ordinance.
6. Marihuana Establishments shall operate only as expressly allowed under this Ordinance.
7. The requirements set forth in this Ordinance shall be in addition to, and not in lieu of, any other Licensing or Permitting requirements imposed by applicable federal, state or local laws, regulations, codes or ordinances.
8. At the time of Application, each Applicant shall pay applicable Application fees, annual fees, renewal fees, transfer fees, and inspection fees for Permits to the Township to defray the costs incurred by the Township for inspection, administration, review, oversight, and enforcement of the local regulations regarding Marihuana Establishments. The Township Board shall by resolution set the required fees in an amount not to exceed any limitations imposed by Michigan law.
9. A Permit or Renewal Permit shall not confer any vested rights or reasonable expectation of subsequent renewal on the Applicant or Permit Holder, and shall remain valid only for one (1) year following its approval. A completed Renewal Application must be received by the Township Clerk as provided in this Ordinance in order to renew the Permit, except as otherwise provided for a delayed Renewal Application.
10. Each year, any pending Applications for renewal or amendment of existing Permits shall be reviewed and granted or denied before Applications for new Permits are considered.
11. It is the sole and exclusive responsibility of each Permit Holder or Person applying to be a Permit Holder at all times during the Application period and during its operation to immediately provide the

Township with all material changes in any information submitted on an Application and any other changes that may materially affect any state License or Township Permit.

12. No Permit issued under this Ordinance may be assigned or transferred to any Person unless the assignee or transferee has submitted an Application and all required fees under this Ordinance and other applicable Ordinances and the transfer has been authorized under this Ordinance by the Township Board. No Permit issued under this Ordinance is transferrable to any other location except for a change in location requested as part of a renewal application.
13. The original and current Permit issued under this Ordinance shall at all times be prominently displayed at the Permitted Premises in a location where it can be easily viewed by the public, law enforcement officials and administrative authorities.
14. Acceptance by the Permit Holder of a Permit constitutes consent by the Permit Holder and its owners, officers, managers, agents, employees, agents, and representatives for any state, federal or local law enforcement agency to conduct random and unannounced examinations of the Establishment and all records, materials, and property in that Establishment at any time to review compliance with this Ordinance, state law, any other local regulations, and the Permit.
15. A Permit Holder may not engage in any other Marihuana Establishment in the Permitted Premises or on the Permitted Property, or in its name at any other location within the Township, without first obtaining a separate Permit.
16. No Permit shall be granted or renewed for a Marihuana Establishment in a residence.

SECTION 4. OTHER LAWS AND ORDINANCES. In addition to the terms of this Ordinance, any Marihuana Establishment shall comply with all laws, regulations and Ordinances to the extent such ordinances do not create obligations in conflict with this Ordinance, including without limitation the Township Zoning Ordinance and the MRTMA.

SECTION 5. APPLICATION FOR, RENEWAL OF, AND TRANSFER OF PERMITS.

1. **Application.** An Application for a Permit for an Establishment shall be submitted to the Clerk, and shall contain the following information, at a minimum:
 - a. The name, address, phone number and e-mail address of the proposed Permit Holder and the proposed Marihuana Establishment;
 - b. The names, home addresses and personal phone numbers for all owners, directors, officers and managers of the Permit Holder and the Marihuana Establishment;
 - c. One (1) copy of all the following:
 1. All documentation showing the proposed Permit Holder's valid tenancy, ownership or other legal interest in the proposed Permitted Property and Permitted Premises. If the Applicant is not the owner of the proposed Permitted Property and Permitted Premises, a notarized statement from the owner of such property authorizing the use of the property for a Marihuana Establishment shall be provided to the Township.
 2. If the proposed Permit Holder is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, it shall indicate its legal status, attach

- a copy of all company formation documents (including amendments), identify all owners and their percentage of ownership in the entity accounting for 100% of the ownership interest in the proposed Establishment, proof of registration with the State of Michigan, and a certificate of good standing.
3. A valid, unexpired driver's license or state issued ID for all owners, directors, officers and managers of the proposed Establishment.
 4. Non-refundable Application fee.
 5. Whether the Applicant has ever applied for or been granted denied, restricted, suspended, revoked, or not renewed any commercial License, Permit, or certificate issued by a licensing authority in Michigan or any other jurisdiction, and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.
 6. Information regarding any other Marihuana Establishment or Commercial Medical Marihuana Facility, or similar License that the Applicant is authorized to operate in any other jurisdiction within the State, or another State, and the Applicant's involvement in each such operation.
 7. An official statement issued by the Department of Licensing and Regulatory Affairs, Marihuana Regulatory Agency, or its successor, that the Applicant has successfully completed prequalification for a License, if any.
- d. Any other information reasonably requested by the Township to be relevant to the processing or consideration of the Application.
 - e. Information obtained from the Applicant or proposed Permit Holder is exempt from public disclosure under state law, to the extent permitted by the Michigan Freedom of Information Act.
 - f. Applicant and all related persons acknowledges and consents to a background check and investigation by the Township as a condition of the Township processing and reviewing the application for approval or denial of a Permit.
 - g. A Renewal Application may expressly incorporate by reference information or documentation contained in the original Permit Application or prior Permit Renewal Application, while making clear where such information or documentation can be found, provided that the information or documentation has not changed.
 - h. Prior to the approval or renewal of an Application for a Marihuana Grower Permit, an Applicant may amend the Class of the Marihuana Grower Permit Application by submitting an application form and expressly incorporating by reference the information or documentation contained in the original Permit Application. The Township may impose a fee as established by resolution. The Applicant will be required to show proof of a valid state License allowing operation of the new class of Marihuana Grower Permit prior to operation.
2. **Renewal Application.** The same requirements that apply to all new Applications for a Permit apply to all Renewal Applications. Renewal Applications shall be submitted to and received by the Clerk not less than ninety (90) days prior to the expiration of the annual Permit, except that an Application

requesting a change in the location of the Permitted Premises shall be submitted and received not less than one hundred twenty (120) days prior to the expiration of the Permit. A Permit Holder whose Permit expires and for which a complete Renewal Application has not been received by the expiration date shall be deemed to have forfeited the Permit under this Ordinance. The Township will not accept Renewal Applications after the expiration date of the Permit.

3. **Transfer Application.** Any unauthorized transfer or attempted transfer of an ownership interest in a Permit or Permit Holder constitutes a violation of this Ordinance.

a. The same requirements that apply to all new Applications for a Permit apply to all Applications to transfer an existing Permit to a new legal entity or individual(s), as well as a certified copy of the meeting minutes of the board of directors or members authorizing the sale of the Permit or, if the Permit Holder is a natural person, a notarized statement or other proof satisfactory to the Township authorizing the transfer. Only after the transferee has applied for and obtained approval for the transfer, including without limitation the payment of the same fees for the transferred Permit as applies for a new Permit, may the Permit be transferred.

b. No Permit Holder shall transfer, sell, or otherwise convey more than 1% of the ownership interest in entity owning the Permit, whether in a single transaction or the sum of multiple transactions, without the express approval of the Township Board after submitting a transfer application under this Ordinance. The transferee applicant and Permit Holder must submit a change in control transfer Application to the Clerk prior to any sale or transfer of stock or membership interest. The Application shall include all of the following:

1. The names, home addresses and personal phone numbers for all owners, directors, officers and managers of the Permit Holder, the Marihuana Establishment, and Applicant;

2. If the Permit Holder is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, attach a copy of all company formation documents, bylaws, and any amendments, purchase agreement for stock or membership interest, and a certified copy of the meeting minutes of the board of directors or members authorizing the sale of stock or membership interest.

3. If the Applicant is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, it shall indicate its legal status, attach a copy of all company formation documents (including bylaws and amendments), identify all owners and their percentage of ownership in the entity accounting for 100% of the ownership interest in the Applicant, proof of registration with the State of Michigan, and a certificate of good standing.

4. A valid, unexpired driver's license or state issued ID for all owners, directors, officers and managers of the proposed Establishment.

5. Whether any Applicant has ever applied for or has been granted any commercial License or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.

6. Information regarding any other Marihuana Establishment or Commercial Medical Marihuana Facility, or similar License that the Licensee is authorized to operate in any other jurisdiction within the State, or another State, and the Applicant's involvement in each Establishment.
 7. A non-refundable Application fee, as set by resolution by the Board.
 8. Any other information reasonably requested by the Township to be relevant to the processing or consideration of the Application.
- c. If, prior to the approval of an Application, an individual Applicant wishes to substitute a different Person as Applicant; or an Applicant that is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, seeks to undergo a change in ownership greater than 1%, the current Applicant may submit a written request to the Clerk to amend the Application. Upon approval by the Clerk, the current Applicant may amend the Application to reflect such a change in identity or ownership, provided that the substituted Applicant(s) submits any documents required for a new Permit under this Ordinance. The Township Board may set a fee by resolution for such a change.
- d. The following actions constitute transfer of ownership and require a transfer application, application fee, and Township Board approval:
1. *Persons.* Any transfer of more than 1% of an ownership interest in an Applicant or Permit Holder between Persons constitutes a transfer of ownership.
 2. *Corporations.* Any transfer of more than 1% of stock or any change in principal officers or directors of any corporation holding a Permit constitutes a transfer of ownership.
 3. *Limited Liability Companies.* Any transfer of more than 1% of membership interest or any change in managing members or change in the interest held by any managing members(s) of any limited liability company holding a Permit constitutes a transfer of ownership.
 4. *Partnerships.* Any transfer of more than 1% of a partnership interest or any change in general or managing partners of any partnership holding a Permit constitutes a transfer of ownership.
 5. *Assets.* Any transfer of more than 1% of the assets held by an Applicant or Permit Holder within the Township constitutes a transfer of ownership.
4. **Approval, Issuance, Denial and Appeal.** The Township shall process applications, to the extent practicable, as follows:
- a. Complete Applications for a Marihuana Establishment Permit determined to be in full compliance with the requirements of this Ordinance shall be issued conditional approval by the Township Board or its designee. A conditional approval only means that the Applicant has submitted a valid Application for a Marihuana Establishment Permit and it shall allocate any requested available Permit type and number to the application. Such conditional approval shall be provided in writing and shall not provide any right to operate prior to the Township Board's final approval of the Application.
 - b. Following receipt of conditional approval, the Applicant shall submit for zoning approval within 60 days of notice of conditional approval or the process for zoning approval of

Establishments first becomes available. Failure of the Applicant to timely pursue zoning approval shall revoke the Applicant's conditional approval and make a Permit available to another Applicant.

- c. Following conditional approval, zoning approval, and certification of an official statement issued by the Department of Licensing and Regulatory Affairs, Marihuana Regulatory Agency, or its successor, that the Applicant has successfully completed prequalification for a License, the Township Board shall approve or deny the Permit. Any denial must be in writing and must state the reason(s) for denial. The Township has no obligation to process or approve any incomplete Application. A determination of a complete Application shall not prohibit the Township from requiring supplemental information.
5. **No Building Currently Existing.** Any Applicant for a Marihuana Establishment Permit whose building is not yet in existence at the time of the Township's initial approval shall have one year immediately following the date of the Township's initial approval to commence construction of the building, in accordance with applicable zoning ordinances, building codes, and any other applicable state or local laws, rules or regulations, and to thereafter complete construction and commence business operations without unreasonable delay.
 6. **Effect of Transfer.** Immediately following the approval of a transfer of ownership by the Township Board, the transferee(s) will obtain all the interests, rights, obligations, and responsibilities of the previous Permit Holder. Once a Permit Holder has transferred his or her ownership interest, any privileges enjoyed by that Permit Holder under this Ordinance are terminated. For transfers where no building is yet in existence, the deadline for construction of buildings not currently existing shall be extended to one year immediately following the date the transfer is approved, but construction must commence within three years after the Township's initial approval of the Permit, regardless of any subsequent transfers.
 7. **Duty to Supplement.**
 - a. If, at any time before or after a Permit is issued pursuant to this Ordinance, any information required in the Permit Application, the MRTMA, or any rule or regulation promulgated thereunder, changes in any way from what is stated in the Application, the Applicant or Permit Holder shall supplement such information in writing within ten (10) days from the date upon which such change occurs.
 - b. An Applicant or Permit Holder has a duty to notify the Township Board in writing of any pending criminal charge or indictment, and any criminal conviction of a felony or other offense involving a crime of moral turpitude by the Applicant, the Permit Holder, or any owner, principal officer, director, manager, or employee within ten (10) days of the date when the Applicant, Permit Holder, owner, principal officer, director, or manager has notice of the event.
 - c. An Applicant or Permit Holder has a duty to notify the Township Board in writing of any pending criminal charge or indictment, and any criminal conviction, whether a felony, misdemeanor, or any violation of a local law or ordinance related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of marihuana, the MMMA, the MMFLA, the MRTMA, any building, fire, health, or zoning statute, code or ordinance related to the cultivation, processing, manufacture, storage, sale, distribution, testing, or consumption of any form of marihuana by the Applicant, Permit Holders, owner, principal officer, director, manager,

or employee within (10) ten days of the date when the Applicant, Permit Holder, owner, principal officer, director, or manager has notice of the event.

SECTION 6. OPERATIONAL REQUIREMENTS—MARIHUANA ESTABLISHMENT. A Marihuana Establishment issued a Permit under this Ordinance and operating in the Township shall at all times comply with the following operational requirements, which the Township Board may review and amend from time to time as it determines reasonable.

1. *Scope of Operation.* Marihuana Establishments shall comply with all respective applicable codes of the local zoning, building, and health regulations, except to the extent that they are inconsistent with the MRTMA or this Ordinance. The Establishment must hold a valid local Permit and Michigan Marihuana Establishment License for the type of Marihuana Establishment intended to be carried out on the Permitted Property. The Establishment must also hold both a valid state License under the MRTMA as well as a valid state License and local Permit for the corresponding type of Facility under the MMFLA. The Establishment operator, owner, Licensee or Permit Holder must have documentation available that demonstrates full compliance with all local and State sales tax requirements, including holding any Permits or Licenses, if applicable.
2. *Amount of Marihuana.* The amount of Marihuana on the Permitted Property and under the control of the Permit Holder, owner or operator of the Establishment shall not exceed that amount permitted by the state License or the Township's Permit.
3. *Permits.* All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the Licensed Premises in which electrical, wiring, lighting or watering devices that support the cultivation, growing, harvesting or testing of Marihuana are located.
4. *Additional Conditions.* The Township Board may impose such reasonable terms and conditions on a Marihuana Establishment special use as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of this Ordinance and applicable law.

SECTION 7. PENALTIES AND CONSEQUENCES FOR VIOLATION. In addition to any other penalties or legal consequences provided under applicable federal, state and local law, regulations, codes and ordinances:

1. Violations of the provisions of this Ordinance or failure to comply with any of the requirements of this Ordinance shall be subject to and found responsible for a municipal civil infraction. The forfeiture for any municipal civil infraction shall be not less than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) plus court costs, attorney fees and abatement costs of each violation, together with all other remedies pursuant to MCL 600.8701, *et seq.* Each day a violation continues shall be deemed a separate municipal civil infraction.
2. Revocation. A Permit issued under this Ordinance may be denied, limited, revoked, or restricted under any of the following conditions:
 - a. Any fraudulent, false, misleading, or material misrepresentation contained in the Application.
 - b. Repeat violations of any requirements of this Ordinance or other applicable law, rule, or regulation. As used in this subsection, the term "repeat offense" means a second (or any subsequent) misdemeanor violation or civil infraction of the same requirement or provision committed within any six-month period and upon conviction or responsibility thereof.

- c. A valid License is not maintained as required by this Ordinance.
- d. The Permit Holder, its agent, manager, or employee failed to timely submit any document or failed to timely make any material disclosure as required by this Ordinance.

If a Permit is revoked or limited under this Ordinance, the Township or its designee shall issue a notice stating the revocation, limitation, or restriction including the reason for the action and providing a date and time for an evidentiary hearing before the Township Board.

- 3. The owner of record or tenant of any building, structure or premises, or part thereof, and any architect, builder, contractor, agent or person who commits, participates in, assists in or maintains such violation may each be found guilty or responsible of a separate offense and suffer the penalties and forfeitures provided in subsections (1) and (2) of this section, except as excluded from responsibility by state law.
- 4. In addition to any other remedies, the Township may institute proceedings for injunction, mandamus, abatement or other appropriate remedies to prevent, enjoin, abate or remove any violations of this Ordinance. The rights and remedies provided herein are both civil and criminal in nature. The imposition of any fine, jail sentence or forfeiture shall not exempt the violator from compliance with the provisions of this Ordinance.

SECTION 8. SEVERABILITY. The provisions of this Ordinance are hereby declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 9: SAVINGS CLAUSE. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 10. EFFECTIVE DATE. This Ordinance shall become effective 30 days after its publication.


SECTION 11. REPEAL. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. The Prohibition of Marihuana Establishments Ordinance, Ordinance 2019-2, is hereby repealed.

YEAS: D Shrontz, A Freitel, D Van Sickle, D Hoffman, and D Fountain

NAYS: 0

ABSENT/ABSTAIN: 0

ORDINANCE DECLARED ADOPTED:



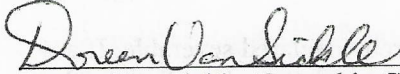
Duane Shrontz, Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Marengo Township Board at a duly scheduled and noticed meeting of that Township Board held on October 29, 2019, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the Marshall Chronicle Advisor newspaper, a newspaper that circulates within Marengo Township, on November 2, 2019.
3. Within one (1) week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Calhoun County Clerk on November 8, 2019.

ATTESTED:



Doreen Van Sickle, Township Clerk

Marengo Township, Calhoun County, Michigan
Recreational Marihuana Establishments Licensing Ordinance
Notice of Adoption

Ordinance No. 2019-6

At a meeting of the Township Board of Marengo Township, Calhoun County, Michigan, held at the Marengo Township Hall on October 29, 2019, at 7:00 p.m., the Township Board adopted Ordinance No. 2019-6, which implements the provisions of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018; to regulate Marihuana Establishments by requiring a Permit and compliance with requirements as provided in the Ordinance, in order to maintain the public health, safety and welfare of the residents and visitors to the Township. Copies of the complete text of the proposed Ordinance are available at the office of the Township Clerk at 14201 23 Mile Road, Albion, MI 49224.

The Ordinance has the following sections and catch lines: Section 1: Title; Section 2. Definitions; Section 3. Permit Required; Number of Permits Available; Eligibility; General Provisions; Section 4. Other Laws and Ordinances; Section 5. Application for, Renewal of, and Transfer of Permits; Section 6. Operational Requirements–Marihuana Establishment; Section 7. Penalties and Consequences for Violation; Section 8. Severability; Section 9. Savings Clause; Section 10 Effective Date; Section 11. Repeal.

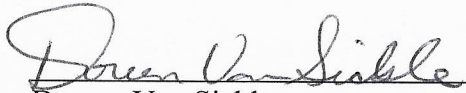
By Order of the Marengo Township Board

Doreen VanSickle, Township Clerk
(269) 781-8422

SIGNATURE PAGE FOR REVISION, 09/28/2021,

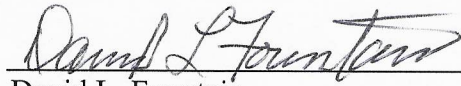
ORDINANCE NO. 2019-6 AUTHORIZING AND PERMITTING RECREATIONAL
MARIJUANA ESTABLISHMENTS

ATTESTED:



Doreen Van Sickle
Township Clerk

ORDINANCE REVISION ADOPTED:



September 28, 2021

David L. Fountain Date