

ORDINANCE #2020-01
VILLAGE OF CHESANING
COUNTY OF SAGINAW, MICHIGAN

AN ORDINANCE TO AMMEND THE VILLAGE OF CHESANING ZONING ORDINANCE ADOPTED AUGUST 18, 2009, PERTAINING TO THE CLASSIFICATION OF PROPERTY

The Village of Chesaning hereby ordains:

Section 1:

A. Amendments to Article 2, Section 2.02: Definitions by adding:

"Medical Marihuana Facilities Act of 2016": State of Michigan enacted P.A 281-283 in 2016 that significantly expanded the types of medical marihuana facilities permitted under state law and established a licensing scheme similar to the scheme for liquor licenses and further, enables local governments to authorize these facilities through an application and permitting process.

"Michigan Regulation and Taxation of Marihuana Act of 2018": The purpose of this act is to make marihuana legal under state and local law for adults 21 years of age or older, to make industrial hemp legal under state and local law, and to control the commercial production and distribution of marihuana under a system that licenses, regulates, and taxes the businesses involved.

"Marihuana microbusiness": A person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

"Grower" or "Grower Facility": A commercial entity that cultivates, dries, trims, or cures and packages Marihuana for sale to a Processor or Provisioning Center. (Note- a primary caregiver is currently limited to 60 plants).

- a. Class A - 500 marihuana plants.
- b. Class B - 1,000 marihuana plants.
- c. Class C - 1,500 marihuana plants.

"Outdoor grow": A fully enclosed outdoor area that is shielded from public view, is equipped with secure locks and other functioning security devices to prevent entry into the area by unauthorized persons.

"Processor" or "Processor Facility": A commercial entity that purchases Marihuana from a Grower and that extracts resin from the Marihuana or creates a Marihuana-infused product for sale and transfer in packaged form to a Provisioning Center.

"Provisioning Center": A commercial entity that purchases Marihuana from a Grower or Processor and sells, supplies, or provides Marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Center includes any commercial property where Marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's Marihuana registration process in accordance with the MMMA is not a Provisioning Center for the purposes of this Ordinance.

"Marihuana retailer": A person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

"Safety Compliance Facility": A commercial entity that receives Marihuana from a Medical Marihuana Facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the Marihuana to the Medical Marihuana Facility.

"Secure Transporter": A commercial entity that stores Marihuana and transports Marihuana between Medical Marihuana Facilities for a fee.

B. Amendments to Article 2, Section 2.02: Definitions by removing:

"Medical Marihuana Production and Dispensing": The growing, harvesting, storage, supplying, and/or dispensing of marihuana, also known as marihuana or cannabis by a medical marihuana primary caregiver, for medical purposes only as allowed by state law by a medical marihuana primary caregiver

C. Amendments to Article 2, Section 2.02: Definitions by changing the definition to read as follows:

"Medical Marihuana Primary Caregiver": A person who is at least 21 years of age and has registered as a caregiver under the Michigan Medical Marihuana Act of 2008 and who has agreed to assist with a patient's use of medical marihuana through any of the following: growing, harvesting, storage, supplying, and/or dispensing of marihuana for medical purposes as permitted through the Michigan Medical Marihuana Act.

D. Amendments to Article 4, Section 4.10: Land Use Districts Table of Uses:

1. Change existing "Medical Marihuana Production and Dispensing" use and replace with the title "Medical Marihuana Primary Caregiver"
2. Add/Remove the following uses and district designations to the table:

USE	R=Uses permitted by Right S=Uses permitted by Special Use Permit							
	A-1	R-1	R-2	R-3	R-4	B-1	B-2	M-1
Medical Marihuana Primary Caregiver	S	S	S					
Cash crop farming and agricultural activities except for raising of livestock, fowl or other fauna	R							
Marihuana Grower Facility	S						S	S
Marihuana Processor Facility	S						S	S
Marihuana Provisioning Center						S	S	
Marihuana Safety Compliance	S						S	S

Marihuana Secure Transporter	S							S
Marihuana Outdoor Grower	S							S
Marihuana Retailer						S	S	

Section 2:

This ordinance shall take effect seven (7) days after its publication as prescribed by law. Copies of the amendment may be purchased or inspected at the Village Office, 218 N. Front Street, Chesaning, MI, Monday through Friday from 8:00 a.m. to 4:30 p.m.

The foregoing ordinance was duly adopted at a regular meeting of the Village Council of Chesaning, this XXXX day of XXXXXX 2020.

Joseph Sedlar Jr., Village President

Trent Vondrasek, Village Clerk