

**VILLAGE OF SHERIDAN
MONTCALM COUNTY, MICHIGAN**

At a regular meeting for the Village of Sheridan held at the Villages offices on February 12, 2019, the following Ordinance was offered for adoption:

PRESENT: Train, McDougall, Wyckoff McFarland, Scott, Sisson, McKay, Wagner

ABSENT: None

The following Ordinance was offered by Trustee McKay and supported by Trustee McDougall.

**AN ORDINANCE TO PROHIBIT MARIHUANA
ESTABLISHMENTS AND FACILITIES IN THE VILLAGE OF SHERIDAN**

ORDINANCE NO. 66

THE VILLAGE OF SHERIDAN ORDAINS:

Section 1. Definitions of Marihuana Establishments and Facilities.

The following words, terms and phrases, when used in the Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) *IHRA* means the Industrial Hemp Research Act, 2014 PA 547, MCL 286.841 *et seq.*

(b) *Marihuana establishment* means that term as defined in the MRTMA.

(c) *Marihuana facility* means that term as defined in the MMFLA.

(d) *MMFLA* means the Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended.

(e) *MMMA* means the Michigan Medical Marihuana Act, 2008 IL 1, as amended

(f) *MRTMA* means the Michigan Regulations and Taxation of Marihuana Act, 2018 IL 1, as amended.

Section 2. Marihuana Establishments and Facilities Prohibited.

(a) Pursuant to Section 6 of the MRTMA, marihuana establishments are prohibited within the boundaries of the Village.

(b) Marihuana facilities are prohibited within the boundaries of the Village.

(c) This prohibition includes, but is not limited to, the following marihuana establishments:

- i. Marihuana grower.
- ii. Marihuana safety compliance facility.
- iii. Marihuana processor.
- iv. Marihuana microbusiness
- v. Marihuana retailer
- vi. Marihuana secure transporter
- vii. Any other marihuana-related business that is subject to licensing by the State Department of Licensing and Regulatory Affairs under Michigan Initiated Law 1 of 2018 or the rules promulgated thereunder.

Section 3. Rights unaffected by Article.

(a) Except as specifically provided in Section 2, this Ordinance shall not affect the rights or privileges of any individual or other person preserved under the MRTMA.

(b) This Ordinance does not affect the rights or privileges of a marijuana facility outside of the Village to engage in activities within the Village that it is permitted to engage in under the MMFLA within a municipality that has not authorized marijuana facilities to operate within its boundaries.

(c) This Ordinance does not affect the rights or privileges of registered qualifying patients or registered primary caregivers under the MMMA or the MMFLA.

(d) This Ordinance does not affect the rights or privileges of any individual or other person under the IHRA.

(e) This Ordinance does not affect the rights or privileges of any individual or other person under any other federal or state law, rule or regulation related to the medical use of marijuana.

Section 4. Violation of the Ordinance. Any person, firm, corporation, trust, partnership or other legal entity who shall commence, conduct operate, or utilize a marijuana facility or marijuana establishment within the boundaries of the Village shall be guilty of a criminal misdemeanor and shall, upon conviction, be subject to up to 90 days in jail, paying a fine of up to \$500.00, or both such fine and jail, as well as any other fines, costs, or penalties imposed by law.

Each day on which any violation of this Ordinance continues, constitutes a separate offense, and shall be subject to penalties or sanctions as a separate offense. In addition to any remedies otherwise available, the Village may bring an action for an injunction or other process to restrain, prevent, or abate any violation of this Ordinance.

Section 5. Effective Date. This Ordinance shall take effect the day following its publication (or a summary hereof) in a newspaper or general circulation within the Village.

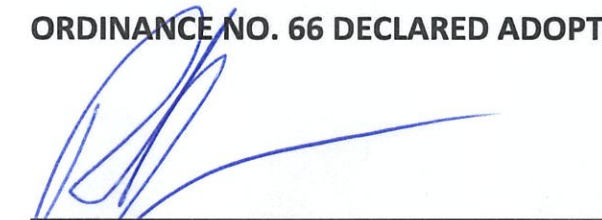
The vote in favor of this Ordinance was as follows:

YEAS: 7


NAYS: 0

ABSENT/ABSTAIN: 0

ORDINANCE NO. 66 DECLARED ADOPTED



By: Robert Train
Its: President




By: Kathy Sanders
Its: Clerk

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Village of Sheridan at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By 

Kathy Sanders, Village Clerk