

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances Chapter 12, Business and Occupations Generally; Article XVI, Medical Marihuana Facilities, by the addition of Section 12-96.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally; adding Article XVI, Section 12-96, Prohibition of Recreational Marihuana Facilities, which shall read in its entirety as follows:

§12-96. PROHIBITION OF RECREATIONAL MARIHUANA FACILITIES.

(a) PROHIBITION. MARIHUANA ESTABLISHMENTS, AS AUTHORIZED BY AND DEFINED IN THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT (THE "MRTMA"), BEING INITIATED LAW 1 OF 2018, MCL 333.27951 ET SEQ, AND ITS CORRESPONDING ADMINISTRATIVE RULES, ARE PROHIBITED IN THE CITY OF FLINT, EXCEPT IN THE SPECIFIC CIRCUMSTANCES OUTLINED IN THE SUBSECTION BELOW. SUCH PROHIBITED ESTABLISHMENTS INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, MARIHUANA GROWERS, MARIHUANA SAFETY COMPLIANCE FACILITIES, MARIHUANA PROCESSORS, MARIHUANA MICROBUSINESSES, MARIHUANA RETAILERS, MARIHUANA SECURE TRANSPORTERS, DESIGNATED CONSUMPTION ESTABLISHMENTS, MARIHUANA EVENT ORGANIZERS, TEMPORARY MARIHUANA EVENTS, EXCESS MARIHUANA GROWERS, AND ANY OTHER TYPE OF MARIHUANA-RELATED BUSINESS LICENSED BY THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, THE MICHIGAN

MARIJUANA REGULATORY AGENCY, OR OTHER STATE AGENCY UNDER THE PROVISIONS OF THE MRTMA.

(b) EXCEPTIONS. INDIVIDUALS OR ENTITIES, WHO HOLD MEDICAL MARIJUANA FACILITIES LICENSES BY BOTH THE STATE OF MICHIGAN AND THE CITY OF FLINT, MAY APPLY FOR, AND IF GRANTED, OPERATE FACILITIES UNDER "EQUIVALENT LICENSES," AS DEFINED BY THE MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, SO LONG AS THE OPERATION OF SUCH EQUIVALENT LICENSE(S) IS AT THE SAME LOCATION AS THE CITY OF FLINT-APPROVED MEDICAL MARIJUANA FACILITIES LICENSE.

(c) SUNSET. THIS SECTION SHALL AUTOMATICALLY BE REPEALED ONE YEAR FROM ITS ADOPTION IF NOT OTHERWISE REPEALED, AMENDED, OR REPLACED BY CITY COUNCIL PRIOR TO THAT DATE.

Sec. 2. This ordinance shall become effective immediately upon adoption.

Adopted this _____ day of _____ 2019, A.D.

Dr. Karen W. Weaver, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer