

**CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2020-006**

MEDICAL MARIHUANA FACILITY LICENSING ORDINANCE AMENDMENT

An Ordinance to amend the Medical Marihuana Facility Licensing Ordinance by updating and changing the definition of and references to the administrative rules under the Medical Marihuana Facilities Licensing Act.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 10-294(a)(4) and the definition of Rules in Section 10-294(b) of the Waterford Charter Township Code are amended to read as follows:

Sec. 10-294. Definitions.

- (a) In addition to the rules of construction and definitions contained in Sections 1-002 and 10-053, words, terms, and phrases used in this Ordinance shall have the meanings defined in the following state laws, that are adopted by reference, unless defined differently in this Ordinance:
 - (1) Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.
 - (2) Michigan Medical Marihuana Act, MCL 333.26421 et seq.
 - (3) Marihuana Tracking Act, MCL 333.27901 et seq.
 - (4) Medical Marihuana Facilities Administrative Rules (Rules as defined in subsection (b).)
- (b) As used in this Ordinance, the following words, terms, and phrases shall have the meanings indicated.

Rules means the administrative rules that have been or in the future are promulgated by the Michigan Marijuana Regulatory Agency under Section 206 of the Act, MCL 333.27206, to implement the Act, which as of June 22, 2020, are included in the rules codified in the Michigan Administrative Code as R 420.1 through R 420.809.

Section 2 of Ordinance

Section 10-300(c) of the Waterford Charter Township Code is amended to read as follows:

Sec. 10-300. Overview of license application, approval and issuance procedure.

- (c) A license application for a facility shall not be filed until after an application prequalified under the Rules as satisfying the requirements of MCL 333.27401(1) in the Act and the Rules for the corresponding state license has been made. The Township Board shall not consider approving a license if the corresponding state license has been denied.

Section 3 of Ordinance

Section 10-301(b)(1) of the Waterford Charter Township Code is amended to read as follows:

Sec. 10-301. License application requirements.

- (b) (1) Copy of the application filed and prequalified under the Rules as satisfying the requirements of MCL 333.27401(1) in the Act and the Rules for the corresponding state license.

Section 4 of Ordinance

Section 10-306(b)(5) of the Waterford Charter Township Code is amended to read as follows:

Sec. 10-306. License standards, terms, and conditions.

- (b) The facility shall be constructed, used, operated, and maintained in compliance with all Township Codes and Ordinances and the following state laws that are adopted by reference as part of this Ordinance:
 - (1) The MMFLA (Medical Marihuana Facilities Licensing Act.)
 - (2) The Tracking Act (Michigan Marihuana Tracking Act.)
 - (3) The State license for the facility.
 - (4) The MMMA (Michigan Medical Marihuana Act.)
 - (5) The Rules (Medical Marihuana Facilities Administrative Rules)

Section 5 of Ordinance

Should any Section, subdivision, sentence, clause or phrase of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 6 of Ordinance

This Ordinance shall be published before and take effect on January 4, 2021.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a regular meeting held on _____, 2020.

CHARTER TOWNSHIP OF WATERFORD

Date

By: _____
Kimberly F. Markee, Township Clerk

Introduced:

Adopted:

Published: