

WASHINGTON TOWNSHIP

RESOLUTION TO ADOPT A  
PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE

At a regular meeting of the Township Board for the Township of Washington, Sanilac County, Michigan, held on the 9<sup>th</sup> day of October, 2018.

PRESENT: Joe Sutherland, Tina Willis, Sue Heberling + John Hurley

ABSENT: Diana Lenk

The following preamble and resolution were offered by Hurley  
and seconded by Heberling.

WHEREAS, the Township Ordinances Act, Act 246 of 1945, being MCL 41.181 *et seq.*, authorizes Washington Township (the "Township") to adopt ordinances and regulations to secure the public health, safety and general welfare of the persons and property within the Township; and

WHEREAS, the Michigan Regulation and Taxation of Marihuana Act is on the ballot for the election being held during November of 2018 and is anticipated to pass; and

WHEREAS, the Michigan Regulation and Taxation of Marihuana Act allows an applicant to receive a license for a marihuana establishment unless the municipality in which the proposed marihuana establishment will be located notifies the department of licensing and regulatory affairs of the State of Michigan that the proposed marihuana establishment is not in compliance with an ordinance consistent with section 6 of the Michigan Regulation and Taxation of Marihuana Act and in effect at the time of application; and

WHEREAS, section 6 of the Michigan Regulation and Taxation of Marihuana Act allows a municipality to completely prohibit or limit the number of marihuana establishments within its boundaries; and

WHEREAS, the Township finds that it is necessary and reasonable to prohibit marihuana establishments within its boundaries to protect the health, safety, and welfare of the persons and property within the Township. Furthermore, marihuana establishments, which include, but are not limited to, the activities of growing marihuana, operating a marihuana safety compliance facility, processing marihuana, and selling marihuana are currently illegal under federal law.

NOW, THEREFORE, the Township Board of the Township of Washington resolves as follows:

1. The Township adopts Ordinance No. 2018-2, Prohibition of Marihuana Establishments Ordinance (the "Ordinance," attached as **Exhibit A**).
2. The Ordinance must be filed with the Township Clerk.
3. The Township Clerk must publish either a true copy or a summary of the Ordinance in a newspaper of general circulation in the Township within 30 days after the Township approves the Ordinance.
4. The Township Clerk shall record the Ordinance in a book of ordinances kept by him or her for that purpose; record the date of the passage of the Ordinance, the names of the members of the Township Board voting, and how each member voted; and file an attested copy of the Ordinance with the County Clerk within one week of the above-described publication.
5. The Township Clerk shall certify under the Ordinance the date or dates of publication of the Ordinance, the name of the newspaper in which publication was made, and the date of filing with the County Clerk.
6. Any resolution that conflicts with this Resolution is repealed upon the effective date of the Ordinance.

A vote on the above Resolution was taken and was as follows:

ADOPTED:

YEAS: Sutherland, Willis, Heberling, Hurley

NAYS: none

ABSTENTIONS: none

ABSENT: Diana Lenk

STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF SANILAC         )

I, the undersigned, the duly qualified and acting Township Clerk of the Township of Washington, Michigan, certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a regular meeting held on the 9<sup>th</sup> day of October, 2018.

  
\_\_\_\_\_  
Tina Willis, Township Clerk

**WASHINGTON TOWNSHIP  
ORDINANCE NO. 2018-2**

**PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE**

An Ordinance pursuant to Public Act 246 of 1945, MCL 41.181, et seq., to prohibit marihuana establishments to the fullest extent possible pursuant to section 6 of the Michigan Regulation and Taxation of Marihuana Act and all other applicable Michigan laws.

THE TOWNSHIP BOARD OF WASHINGTON TOWNSHIP, SANILAC COUNTY, MICHIGAN ORDAINS:

**Section 1. Title**

This ordinance shall be known as the "Prohibition of Marihuana Establishments Ordinance" (hereinafter referred to as "Ordinance").

**Section 2. Purpose**

Washington Township finds that it is necessary and reasonable to prohibit marihuana establishments within its boundaries to protect the health, safety, and welfare of the persons and property within the township. Furthermore, marihuana establishments, which include, but are not limited to, the activities of growing marihuana, operating a marihuana safety compliance facility, processing marihuana, and selling marihuana are currently illegal under federal law.

**Section 3. Regulation**

Marihuana establishment(s), as defined by the Michigan Regulation and Taxation of Marihuana Act including, but not limited to, 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 of licensing and regulatory affairs of the State of Michigan are prohibited to fullest extent possible pursuant to section 6 of the Michigan Regulation and Taxation of Marihuana Act and all other applicable Michigan laws within the boundaries of Washington Township.

**Section 4. Severability**

This Ordinance and the various parts, sentences, paragraphs, sections, subsections, phrases, and clauses are hereby declared severable, and if any of them are adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected by such determination.


**Section 5. Repealer**

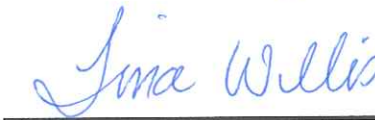
All ordinances inconsistent with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

**Section 6. Effective Date**

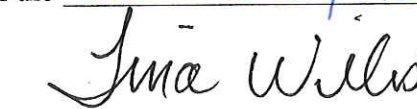
This Ordinance shall become effective on the day after publication as required by law following adoption by the Township Board.

Approved this 9<sup>th</sup> day of October, 2018.


  
\_\_\_\_\_  
Joseph Sutherland, Supervisor

  
\_\_\_\_\_  
Tina Willis, Township Clerk

I, Tina Willis, Clerk of the Township of Washington, Sanilac County, Michigan, do hereby certify that Ordinance No. 2018-2 was published in the Sanilac County News on the 17<sup>th</sup> day of October, 2018.

  
\_\_\_\_\_  
Tina Willis  
Washington Township Clerk

I, Tina Willis, Clerk of the Township of Washington, Sanilac County, Michigan, do hereby certify that Ordinance No. 2018-2 was filed with the Sanilac County Clerk on the 24<sup>th</sup> day of October, 2018.

  
\_\_\_\_\_  
Tina Willis  
Washington Township Clerk

WASHINGTON TOWNSHIP

NOTICE OF ADOPTION OF  
PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE

To the residents and property owners of the Township of Washington, Sanilac County, Michigan, and all other interested persons:

On October 9, 2018, at a regular meeting of the Washington Township Board of Trustees at the Washington Township Hall, located at 2520 Hyde Road, Carsonville, Michigan 48419, the Township of Washington (the "Township") adopted Ordinance No. 2018-2, Prohibition of Marihuana Establishments Ordinance (the "Ordinance"). The following is a summary of the Ordinance. A true copy of the Ordinance, including any exhibits, is available to inspect or obtain at the Washington Township Hall, 2520 Hyde Road, Carsonville, Michigan 48419.

**Section 1. Title.** This section states the title of the Ordinance.

**Section 2. Purpose.** This section states the purpose of the Ordinance.

**Section 3. Regulation.** This section provides that Marihuana establishment(s), as defined by the Michigan Regulation and Taxation of Marihuana Act including, but not limited to, 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 of licensing and regulatory affairs of the State of Michigan are prohibited to fullest extent possible pursuant to section 6 of the Michigan Regulation and Taxation of Marihuana Act and all other applicable Michigan laws within the boundaries of Washington Township.

**Section 4: Severability.** The section provides that the Ordinance and the various parts, sentences, paragraphs, sections, subsections, phrases, and clauses are hereby declared severable, and if any of them are adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected by such determination.

**Section 5. Repealer.** This section provides that any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give the Ordinance full force and effect.

**Section 6: Effective Date.** This section provides that the Ordinance shall become effective on the day after publication as required by law following adoption by the Township Board.

Tina Willis, Township Clerk  
Washington Township  
2520 Hyde Road  
Carsonville, Michigan 48419  
(810) 543-1215