

CITY OF BUCHANAN
BERRIEN COUNTY, MICHIGAN
ORDINANCE 2021.12 / 423, AN ORDINANCE TO AMEND THE CITY OF
BUCHANAN, MICHIGAN CODE OF ORDINANCES CHAPTER 18, BUSINESSES BY
ADDING ARTICLE IV, ADULT USE MARIHUANA ESTABLISHMENTS

AN ORDINANCE TO AUTHORIZE AND REGULATE ADULT USE MARIHUANA
ESTABLISHMENTS PURSUANT TO THE MICHIGAN REGULATION AND TAXATION
OF MARIHUANA ACT BEING INITIATED LAW 1 OF 2018.

A regular meeting of the City of Buchanan, Berrien County, Michigan, held at the Buchanan City Hall on _____, _____, _____, 2021, at 7 p.m., Commissioner _____ moved to adopt the following Ordinance, which motion was seconded by Commissioner _____.

THE CITY OF BUCHANAN ORDAINS:

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Section 17. Minimum Operational Standards of Temporary Marihuana Events

A. A temporary marihuana event shall comply at all times and in all circumstances with the Act, and the Rules of the Department of Licensing and Regulatory Affairs, as they may be amended from time to time; and the applicable ordinances of the City.

B. A temporary marihuana event permit shall only be issued to person who holds a marihuana event organizer permit from the City and a license issued by LARA.

C. A separate temporary marihuana event permit is required for each day that a temporary marihuana event is requested to take place. Temporary marihuana event permits shall not be issued to any one Establishment or organization covering a period of more than 7 consecutive days, or 21 days cumulatively during any one calendar year.

D. A temporary marihuana event shall only be held at a venue approved by the City for the purpose of holding a temporary marihuana event.

E. Smoking and vaping of marihuana products may be allowed in specific areas, but only if formally approved by a majority vote of the City Commission, as part of an approved "Temporary Marihuana Event" permit application. Smoking and/or vaping of marihuana products in all other areas remains strictly prohibited

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Section 19. Location of Retailers, Microbusinesses, Designated Consumption Establishments, or Temporary Marihuana Event

No Retailers, Microbusiness, Designated Consumption Establishments or Temporary Marihuana Events shall be located within:

A. One Thousand (1,000) feet of real property comprising an operational public or private elementary, vocational, or secondary school in existence at the time of adoption of this Ordinance; or

B. Five hundred (500) feet of a church or religious institution defined tax exempt by the City Assessor's Office and in existence at the time of adoption of this ordinance.

C. No adult use marihuana establishment shall be located within Five Hundred (500) feet of a public park with activities designed specifically for youth.

D. The requirements set forth in Sections A.-C. above may be waived by a super-majority vote of the Buchanan City Commission (i.e., at least 4 out of 5 votes in favor of the waive

Effective Date This Ordinance shall become effective fifteen (15) days after its enactment.

Proposed by Commission Member:

Supported by Commission Member:

Roll Call Vote:

Ayes:

Nays:

Abstain: None

Absent: None

MADE, PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF BUCHANAN, BERRIEN COUNTY, MICHIGAN, ON THE _____ DAY OF _____ 20_____, AND IT WAS PUBLISHED IN THE BERRIEN COUNTY RECORD NEWSPAPER ON _____, _____, 20_____. By:

Sean Denison., Mayor _____

Kalla Langston, City Clerk _____

CERTIFICATION I hereby certify that the above is a true and complete copy of an ordinance adopted by the City Commission of the City of Buchanan, County of Berrien, State of Michigan, at a regular meeting held on the _____ day of _____, 20_____, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 as required by said act.

Kalla Langston, City Clerk