

**CITY OF LATHRUP VILLAGE
OAKLAND COUNTY, MICHIGAN**

**RESOLUTION ESTABLISHING CHARTER AMENDMENT BALLOT
PROPOSAL LANGUAGE**

At a Regular meeting of the City Council of the City of Lathrup Village,
Oakland County, Michigan, (the "City"), held on the _____ day of _____ 2022.

PRESENT: _____

ABSENT: _____

The following preamble and Resolution were offered by
_____ and seconded by _____.

WHEREAS, the City of Lathrup Village City Council desires to Amend the
City Charter by adding Chapter 19 – Cannabis Establishments; and

WHEREAS, MCL 117.21 states "The form in which a proposed charter
amendment or question shall appear on the ballot, unless provided for in the
initiatory petition, shall be determined by resolution of the legislative body, and if
provided for by the initiatory petition, the legislative body may add an explanatory
caption."; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. By a 3/5 vote of its members, pursuant to the authority granted by Public Act
279 of 1909, as amended, proposes that Chapter 19 be added to the Charter
of the City of Lathrup Village and to read as follows:

CHAPTER 19 – CANNABIS ESTABLISHMENTS

Section 19.1 – Intent

The Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, and more specifically Section 6(1) thereof, MCL 333.27956(1), authorizes municipalities to prohibit marijuana establishments within their boundaries by adoption of an ordinance.

SECTION 19.2 Prohibition of Marijuana Establishments.

- (a) **Definitions.** Words used in this section shall have the definitions as provided for in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.
- (b) **Prohibition.** Pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, all cannabis establishments are prohibited within the boundaries of the City.
- (c) **Penalty.** A person who violates this section shall be responsible for a municipal civil infraction punishable as set forth in Chapter 2, Section 2-201 of this Code. Such sanctions shall be in addition to the rights of the City to proceed at law or equity with other appropriate and proper remedies, including, but not limited to, the right to seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law. Additionally, the violator shall pay all costs, including all direct and indirect expenses that the City incurs in connection with the municipal civil infraction. Each day during which any violation continues shall be deemed a separate offense.

2. That the City of Lathrup Village determines the charter amendment question shall appear on the ballot of the next regular election as follows:

CANNABIS ESTABLISHMENTS CHARTER AMENDMENT PROPOSAL 1

Shall the City of Lathrup Village Charter be amended to prohibit all Cannabis Establishments within the boundaries of the City.

[YES] [NO]

3. The city clerk shall transmit a copy of the proposed amendment to the Governor of the State of Michigan for approval and transmit a copy of the foregoing statement of purpose of such proposed amendment to the Attorney General of the State of Michigan for approval, as required by law.
4. The proposed charter amendment shall be submitted to the qualified electors of this city at a regular election to be held in the City of Lathrup Village on

_____, and the city clerk is directed to give notice of the election and notice of registration in the manner prescribed by law.

5. The City Clerk is directed to give notice of the election and notice of registration in a manner prescribed by law and to do all things and to provide all supplies necessary to submit the Charter amendment to a vote of the electors as required by law.
6. The proposed amendment shall be published in full together with the existing charter provision altered or abrogated by the amendment as part of the notice of election.

YEAS: _____

NAYS: _____

ABSENT/
ABSTAIN _____

STATE OF MICHIGAN)

)ss

COUNTY OF OAKLAND

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Lathrup Village, Oakland County, Michigan at a special meeting duly called and held on the _____, the original of which resolution is on file in my office, and that notice of said meeting was given, the meeting was held and the minutes filed in

accordance with the Open Meetings Act, Act No. 267, Public Acts of Michigan,
1976, as amended.

City Clerk