

CHARTER TOWNSHIP OF MONROE
COUNTY OF MONROE, STATE OF MICHIGAN

ORDINANCE NO. 152

ADOPTED: 3-28-2023

EFFECTIVE: 3-30-2023

**MONROE CHARTER TOWNSHIP ORDINANCE TO IMPOSE A TEMPORARY
MORATORIUM ON LICENSING MARIHUANA BUSINESSES PURSUANT TO THE
MARIHUANA BUSINESS ORDINANCE, ORDINANCE 140, AS AMENDED.**

An Ordinance to protect the public health, safety, and welfare by establishing regulations relating to a moratorium on considering applications for a license for a Marihuana Business, as such is provided for in Monroe Charter Township Ordinance 140, as amended while the Township completes a study of the zoning regulations pertaining thereto and possible subsequent revisions to the current Zoning Ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; to provide that this is an emergency ordinance; and to provide an effective date.

CHARTER TOWNSHIP OF MONROE
MONROE COUNTY, MICHIGAN

ORDAINS:

SECTION I
FINDINGS

In accordance with Public Act 246 of 1945, MCL 41.181 *et seq.*, as amended, Monroe Charter Township has determined the following:

1. On September 11, 2021, the Monroe Charter Township adopted Ordinance 140, allowing qualifying Marihuana Businesses to be located in Monroe Charter Township (“Marihuana General Ordinance”).
2. Since the Marihuana General Ordinance was adopted, the Township has received substantial comments and information from the public raising public health, safety, and welfare concerns regarding the number of Marihuana Businesses in the Township and the traffic associated with such businesses.

3. The Township Board has public health, safety, and welfare concerns regarding the number of Marihuana Businesses in the Township and the traffic associated with such businesses and finds that it is time to study the zoning regulations with regard to such use.
4. The Township finds that imposing a moratorium upon the consideration of any applications for licensure of Marihuana Businesses pursuant to Ordinance 140, on a limited temporary basis, is reasonable and necessary for, among other reasons, the following reasons:
 - A. Michigan courts have recognized that a moratorium is a common and legitimate planning tool to preserve the status quo while formulating a development strategy.
 - B. The contemplated moratorium would allow the study of the public health, safety, and welfare concerns regarding the licensure of additional Marihuana Businesses in the Township and allow for any needed Marihuana General Ordinance or Zoning Ordinance update and implementation process to occur.
 - C. The contemplated moratorium would allow the study and possible implementation of revisions to these ordinances to occur with citizen input and involvement, public debate, and full consideration of all issues and points of view.
 - D. The contemplated moratorium would allow for consideration of changes in land use that have occurred since the adoption of Ordinance 140.
5. A moratorium should be imposed upon the following actions:
 - A. The consideration of any applications for licensure of Marihuana Businesses until July 1, 2023, and
 - B. The acceptance or consideration of any Special Use or Site Plan applications to the Planning Commission that are not already scheduled on the agenda of the Planning Commission.

SECTION II **MORATORIUM**

A moratorium is imposed upon the consideration of any applications for licensure for a Marihuana Business in accordance with the Marihuana General Ordinance until July 1, 2023. In furtherance of this moratorium, no application for Special Use or Site Plan approval related to Marihuana Businesses, or plans submitted for preliminary review for a potential marihuana business may be accepted or considered by the Township until July 1, 2023, provided, however, that any such zoning request that is already scheduled for a Planning Commission meeting may proceed.

SECTION III **TERM OF MORATORIUM**

The moratorium imposed by this ordinance will remain in effect until July 1, 2023. Before this moratorium expires, the Township may by resolution extend the moratorium as appropriate to allow sufficient time to complete amendments to its ordinances. If an extension is adopted, the Township will publish notice of that.

SECTION IV
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable, for any reason, by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION V
REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VI
EMERGENCY ORDINANCE

Pursuant to authority of MCL 42.20(2), the Monroe Charter Township Board hereby declares this to be an emergency ordinance subject to passage at the same meeting at which it has been introduced.

SECTION VII
EFFECTIVE DATE

This ordinance shall take effect immediately upon publication after adoption.

This Ordinance was enacted at a Special Meeting of the Monroe Charter Township Board, held on the 28th day of March, 2023, 6 Board Members being present and 6 voting in favor thereof.



Christina Smith, Clerk
Monroe Charter Township

Attested:



Alan Barron, Supervisor
Monroe Charter Township