

CHARTER TOWNSHIP OF MONROE

ORDINANCE NO. 147

ADOPTED: 6/21/2022

EFFECTIVE: IMMEDIATELY AFTER PUBLICATION AFTER ADOPTION

**MARIHUANA BUSINESSES AMENDMENTS TO THE MONROE CHARTER
TOWNSHIP CODE**

THE CHARTER TOWNSHIP OF MONROE

MONROE COUNTY, MICHIGAN

ORDAINS:

SECTION I

**AMENDMENT TO CHAPTER 5, ARTICLE II, SECTION 5-27, SUBSECTION (a) OF
THE MONROE CHARTER TOWNSHIP CODE**

Chapter 5, Article II, Section 5-27, Subsection (a) of the Monroe Charter Township Code of Ordinances, is hereby amended to read as follows:

(a) The Charter Township of Monroe is opting into medical marihuana. The following listed recreational (adult use) marihuana establishments and medical marihuana facilities shall be allowed to be located within the Charter Township of Monroe after receiving special land use and site plan approval from the planning commission and further provided that the marihuana business meets the conditions set forth in this article and Zoning Ordinance 52-2010, as amended, including, but not limited to, paying the township marihuana business licensing fee and becoming a state licensee within one year of the Charter Township of Monroe approval:

- (1) Marihuana Microbusiness
- (2) Marihuana Processor
- (3) Marihuana Retailer without drive-through
- (4) Marihuana Provisioning Center without drive-through
- (5) Marihuana Safety Compliance Facility
- (6) Marihuana Secure Transporter
- (7) Marihuana Grower
- (8) Marihuana Excess Grower

a. Marihuana Growers and Excess Growers in an LI Zoned District shall be allowed to have a Microbusiness, Retailer, or Provisioning Center as an Accessory Use (with the Accessory Use occupying no more than 10 percent of a building that accommodates the principal permitted use).

b. Marihuana Growers and Excess Growers in an LI Zoned District without a Microbusiness, Retailer, or Provisioning Center Accessory Use shall be allowed after receiving Site Plan Approval from the Planning Commission (Special Land Use approval not required).

SECTION II

AMENDMENT TO CHAPTER 5, ARTICLE II, SECTION 5-28 OF THE MONROE CHARTER TOWNSHIP CODE

Chapter 5, Article II, Section 5-28 of the Monroe Charter Township Code of Ordinances, is hereby amended to read as follows:

Sec. 5-28 - PROHIBITIONS AND RESTRICTIONS

(a). Home Occupations and Accessory Use Prohibited: A Marihuana Business, or activities associated with the business, shall not be permitted as a Home Occupation or Accessory Use.

(b). Other Marihuana Businesses prohibited: Any Marihuana Business or Marihuana Event not specifically listed as a permitted business or event in section 5-27 shall be prohibited within the Charter Township of Monroe, including, but not limited to, Mobile Marihuana Businesses, Marihuana Designated Consumption Establishments, and Temporary Marihuana Events.

(c). Drive-Through Marihuana Businesses are Prohibited.

SECTION III

AMENDMENT TO CHAPTER 5, ARTICLE II, SECTION 5-29 OF THE MONROE CHARTER TOWNSHIP CODE

Chapter 5, Article II, Section 5-29 of the Monroe Charter Township Code of Ordinances, is hereby amended to read as follows:

Sec. 5-29 - SIGNAGE.

Signage for Marihuana Businesses will be approved pursuant to the generally applicable procedures and standards provided in the Zoning Ordinance, with the additional restriction that signage may not depict marihuana, marihuana-infused products, marihuana-related paraphernalia, or include other names for cannabis (marihuana, weed, dope, grass, ganja, roach, dank, reefer, pot, Mary Jane, doobie, joint, blunt, devil's lettuce, or dab) in violation of state laws and regulations regarding such Marihuana Businesses. Sign names must be approved by the Planning Commission.

SECTION IV

**AMENDMENT TO CHAPTER 5, ARTICLE II, SECTION 5-31, SUBSECTION (i), OF
THE MONROE CHARTER TOWNSHIP CODE**

Chapter 5, Article II, Section 5-31, Subsection (i), of the Monroe Charter Township Code of Ordinances, is hereby amended to read as follows:

- I. Prohibited Activities.** No smoking, inhalation, or consumption of marihuana shall take place on any parcel of land of which a Marihuana Business is located.

SECTION V

**AMENDMENT TO CHAPTER 5, ARTICLE II, SECTION 5-32 OF THE MONROE
CHARTER TOWNSHIP CODE**

Chapter 5, Article II, Section 5-32 of the Monroe Charter Township Code of Ordinances, is hereby amended to read as follows:

Sec. 5-32-RENEWAL

A copy of the state operating license(s) from the State of Michigan and a copy of any changes in the entity's ownership, or property's ownership must be provided with payment (either in cash or cashier's check) and a written request to be placed on the Charter Township of Monroe Board of Trustees' agenda prior to the annual renewal date. Failure to make a written request to be placed on the Charter Township of Monroe Board of Trustees' agenda within 30 days of the annual renewal date (one year from the date of the Planning Commission's approval), provide a copy of the state operating license(s) from the State of Michigan, and pay the \$5,000 annual licensing fee (per license) by the renewal date could result in notification to the State of Michigan that requirements have not been met for renewal and possible revocation of the license(s).

SECTION VI

**AMENDMENT TO CHAPTER 5, ARTICLE II, SECTION 5-33 OF THE MONROE
CHARTER TOWNSHIP CODE**

Chapter 5, Article II, Section 5-33 of the Monroe Charter Township Code of Ordinances, is hereby amended to read as follows:

Sec. 5-33 - ASSIGNABLE; TRANSFERABLE.

Marihuana Business approval is assignable or transferable to a new owner, operator, possessor, or person with the specific approval of the Charter Township of Monroe Board of Trustees, which will be conditioned upon the proposed assignee or transferee's compliance with ordinance requirements, and laws, rules, and regulations of the State of Michigan relating to Marihuana Businesses. A license assigning/transferring fee of \$500.00 (or as otherwise established by resolution of the Board of Trustees) must be paid by cash or cashier's check with a written request

to be placed on the Charter Township of Monroe Board of Trustees' agenda. Unapproved transfer, sale or other conveyance of interest is grounds for suspension or revocation of the license or for other appropriate sanction.

Prior to applying to the Charter Township of Monroe Board of Trustees to make a request to assign or transfer the Marihuana Business approval to a new owner, operator, possessor or person, the new entity must first obtain a zoning permit which includes having approved inspections and receiving a Certificate of Zoning Compliance for Occupancy. The new entity shall only operate under the approved Special Land Use and/or Site Plan Approval and license. The new entity shall not change the use without first obtaining Special Land Use and/or Site Plan Approval from the Planning Commission.

In order to apply for the zoning permit for Certificate of Zoning Compliance for Occupancy, the following documents must be included with the permit application: A. Prequalification approval from the State of Michigan; B. Liability Release Waiver signed; C. Required Insurance Documentation; D. Use Statement; E. Written permission from the property owner (if applicant is not property owner); F. All documentation provided to the State of Michigan for prequalification related to the entity's organized structure; G. Notarized Acknowledgement of operational requirements. These documents must also be provided with the written request and license assigning/transferring fee when requesting to be placed on the Charter Township of Monroe Board of Trustees agenda.

SECTION VII

SEVERABILITY

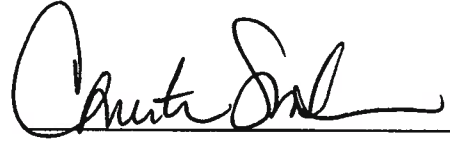
The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force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

SECTION VIII

EFFECTIVE DATE AND REPEAL

This ordinance shall become effective immediately after publication after adoption. All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

This ordinance was enacted at a Regular Meeting of the Monroe Charter Township Board, held on the 21st day of June, 2022, 7 Board Members being present and 7 voting in favor thereof.



Christina Smith- Clerk

Monroe Charter Township

Attested:



Alan Barron- Supervisor

Monroe Charter Township