

## **CHAPTER 16A MEDICAL MARIHUANA MORATORIUM**

### **16A.00.00 Findings**

- 16A.00.01** On November 8, 2008, Michigan Proposal 08-01 "A Legislative Initiative to Permit the Use and Cultivation of Marihuana for Specified Medical Conditions" pass in the State of Michigan. On December 4, 2008, the Michigan Medical Mariuhana Act, Intitiated Law 1 of 2008, MC: 333.26423(d)(the "Act") became effective.
- 16A.00.02** The provisions within the City of Sandusky Zoining Ordinance and Code of Ordinances have not been amended to include business licensing requirements and land use regulations for the Act.
- 16A.00.03** It is within the rights of the City to establish reasonable and necessary regulations to control the sale and dispensation of medical marihuana in order to protect the public health, safety, and welfare.
- 16A.00.04** A moratorium should be imposed upon the issuance of any and all permits or licenses for the sale or dispensation of medical marihuana and the establishment of any business, commercial or retail operation where the purpose is the dispensation of medical marihuana for six (6) months or until an amendment of the Zoning Ordinance, whichever occurs first.

### **16A.01.00 Moratorium Imposed**

That there be and herby is imposed for a period of six (6) months from the effective date of this ordiannce a moratorium upon the issuance of any and all permits or licenses for the sale or dispensation of medical marihuana and the establishment of any business, commercial or retail operation where the purpose is the dispensation of medical marihuana within the City of Sandusky.

### **16A.02.00 Ordinance Modifications**

The City of Sandusky Council and Planning Commision during the moratorium period shall investigate potential modifications to the Code of Ordinances and the Zoning Ordinances that may establish reasonable regulations to control the sale and dispensation of medical marihuana in order to protect the public health, safety, and welfare, and comply with the Act.

### **16A.03.00 Extension**

The City of Sandusky may prior to the expiration of the six (6) month moratorium extend the moratroium for an addition six (6) months to allow sufficient time to complete amendments to the ordinances.

**16A.04.00 Expiration**

The moratorium imposed by this ordinance shall expire the earlier of six (6) months from its effective date or the effective date of an amendment to the Code of Ordinances and Zoning Ordinance, whichever comes first.

**16A.05.00 Severability**

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion thereof, other than the part declared void or inoperable.

**16A.06.00 Repealor**

Any ordinance or part(s) of ordinances inconsistent with the provisions of this ordinance are repealed.