



## **Marihuana “Opt Out” Ordinance**

Village of Freeport, PO Box 10, 200 State St., Freeport, MI 49325  
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### **VILLAGE OF FREEPORT**

### **COUNTY OF BARRY, MICHIGAN**

Minutes of a special meeting of the Village Council of the Village of Freeport, County of Barry, Michigan, held in the Village Hall, 200 State St, Freeport, Michigan, on the \_\_9th\_\_ day of \_\_October\_\_, at 7:30 p.m., Local Time.

PRESENT: Members: Shawn Hill, Karl Wilkins, Lani Forbes, and Bill Andrews

ABSENT: Members: John Raymond

It was moved by \_\_Lani Forbes\_\_ and supported by \_\_Shawn Hill\_\_:

**ORDINANCE NO. \_\_52\_\_**

### **AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE VILLAGE OF FREEPORT**

#### **[Prohibition of Marihuana Facilities and Establishments]**

THE VILLAGE OF FREEPORT ORDAINS:

Section 1.     **Prohibition of Marihuana Facilities and Establishments.** Section 7.9 of the Zoning Ordinance of the Village of Freeport is hereby amended to read in its entirety as follows:

#### **Sec. 7.9     Prohibition of Marihuana Facilities and Establishments**

- (a) The following uses are completely prohibited in the Village, and may not be established or operated in any zoning district, by any means, including by way of a variance:

- (1) Any and all types of a “marihuana facility,” as that term is defined and used in the Medical Marihuana Facilities Licensing Act, MCL 333.27101, *et seq.*, including without limitation, a “medical marijuana dispensary,” as defined by this Ordinance.
  - (2) Any and all types of a “marihuana establishment,” as that term is defined and used in Michigan Initiated Law 1 of 2018, including the following:
    - a. Marihuana grower.
    - b. Marihuana safety compliance facility.
    - c. Marihuana processor.
    - d. Marihuana microbusiness.
    - e. Marihuana retailer.
    - f. Marihuana secure transporter.
  - (3) Any other type of marihuana-related business that is subject to licensing by the state department of licensing and regulatory affairs (“LARA”) under Michigan Initiated Law 1 of 2018 or the rules promulgated thereunder.
- (b) This Section 7.9 does not limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008, MCL 333.26421, *et seq.*
  - (c) This Section 7.9 does not restrict or prohibit the transportation of marihuana through the Village (1) by a marihuana secure transporter who is licensed to operate in another municipality, or (2) by means otherwise authorized by state law.

**Section 2.**     **Publication/Effective Date.** This ordinance shall become effective seven days after its publication or seven days after publication of a summary of its provisions in a local newspaper of general circulation in the Village.

Passed and adopted by the Village Council of the Village of Freeport on \_\_\_\_\_, 2019.

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Bill Andrews, President  
Village of Freeport

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Shawna Hill, Clerk  
Village of Freeport

### **CERTIFICATION OF VILLAGE CLERK**

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Freeport, County of Barry, State of Michigan, at a special meeting held on \_\_\_\_\_, 2019, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan of 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Village and such recording has been authenticated by the signatures of the President and Village Clerk.

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Shawna Hill, Clerk

### **CERTIFICATE OF PUBLICATION**

I hereby certify that a summary of Ordinance No. \_\_\_\_\_ adopted by the Village Council of the Village of Freeport, was published in the *Sun & News* on \_\_\_\_\_, 2019.

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Shawna Hill, Clerk