

## Recreational (adult-use) Marihuana Information

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Under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), which voters approved in November 2018, it is legal for adults, 21 years of age and older, to grow, possess and use marihuana within certain limitations. This act also creates a commercial market for recreational (adult-use) marihuana. Local regulations related to the commercial market for recreational marihuana were adopted by the City Commission in September 2019 (**City Commission Approved Recreational Marihuana Establishments Ordinance**). A citizen initiative ordinance has also been approved for the November 5, 2019 ballot (**Citizen Initiative Recreational Marihuana Establishments Ordinance**). A timeline and detailed information about the two ordinances are described below.

## Timeline

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**November 2018** – Michigan voters approve a recreational marihuana ballot proposal with recreational marihuana establishment licensing to start by December 2019. The state authorizes municipalities to completely prohibit or limit and regulate recreational marihuana establishments within their boundaries.

**Winter 2019** – State regulators indicate their intent to release recreational marihuana establishment rules in time to issue licenses in December 2019. The City develops timelines for the consideration of recreational marihuana establishment ordinances on this basis.

**April 2019** – State regulators announce an accelerated timeline with rules anticipated in June, and license application processing to begin in September.

**June 2019** – The state's revised timeframe causes the City to adopt an ordinance prohibiting marihuana establishments to allow adequate time for city policymakers to review the state regulations and draft local regulations consistent with state regulations.

**July 2019** – State regulations (emergency administrative rules) are issued.

**July/August 2019** – City Commission holds four work sessions to establish parameters for ordinances permitting and regulating recreational marihuana establishments.

**July 2019** – The City receives a Citizen Initiative Recreational Marihuana Establishments Ordinance petition with 324 validated signatures.

**August 2019** – Adhering to the MRTMA, the ballot language for the citizen initiative petition for a recreational marihuana establishments ordinance is approved by the City Commission for the November 2019 ballot. Zoning ordinance for recreational establishments referred to the City Planning Commission.

**September 2019** – City Commission approves ordinance to allow and regulate recreational (adult-use) marihuana establishments.

City Commission Approved Recreational Marihuana Establishments Ordinance and Proposed Zoning Ordinance	Citizen Initiative Recreational Marihuana Establishments Ordinance
Processors - unlimited	Processors - unlimited
Secure transporters - unlimited	Secure transporters - unlimited
Safety compliance establishments - unlimited	Safety compliance establishments - unlimited
Class A growers – maximum of 5; Class B & C growers – maximum of 3	Marihuana growers - unlimited
Retailers – maximum of 3	Retailers – maximum of 5
Microbusinesses (150 plants; grow, process, retail) – maximum of 2	Microbusinesses (150 plants; grow, process, retail) - unlimited
Designated consumption establishments – not permitted.	Designated consumption establishments – unlimited
Maintains state law minimum buffer distance of 1,000 feet from K-12 schools. Adds 500-foot buffer from CMU (except east of campus and east of Mission Street).	Reduces state law 1,000-foot minimum distance from K-12 schools to prohibit establishments from being adjacent to K-12 schools.
Requires a special use permit from the Planning Commission obtained after a public hearing.	Prohibits the City from imposing any special land use requirements on marihuana establishments.
Zones recreational marihuana establishments like medical marihuana facilities. (Items considered: air standards, odor, light, noise, location/buffers, impact on sanitary sewer system.)	Prohibits the City from zoning such establishments differently than any similar uses.
Recreational marihuana retailers allowed in areas zoned CD-4 or CD-5 and in CBD TIFA or Mission DDA.	Allows recreational establishments anywhere except exclusively residential zoned areas.
Ability to amend ordinance through standard process which includes a public hearing being held and a majority vote by the entire City Commission.	Prohibits the City from amending the ordinance without placing the amendment as a ballot question with a public vote at a general election at least one year in the future from the time the City Commission unanimously votes to make such an amendment and publishes notice by first-class mail to every registered voter in the City.
Competitive selection criteria would include medical marihuana license status and compliance record.	Require the City to also issue a medical marihuana facility license for the same recreational (adult-use) marihuana location.
Medical marihuana provisioning centers to remain at current limit of 3.	Increases maximum number of medical marihuana provisioning centers to 8.
Events allowed for edibles only.	Events – not allowed.
A permit for an existing establishment may be transferred to a new licensee who intends to operate at the same location, subject to City Commission and Michigan Department of Licensing and Regulatory Affairs (LARA) approval. An existing establishment can move to a new location in the city pending adherence to zoning regulations, City Commission approval and LARA approval.	A permit issued is valid only for the location, and type of location listed on the permit, and is non-transferable.
Annual Fee: \$5,000 to defray administrative, and enforcement costs.	Annual Fee: \$5,000 to defray application, administrative, and enforcement costs.

**Note:** Highlighted sections denote similarities between the two ordinances.

**For detailed information visit :** <http://bit.ly/marihuanaordinances>