

**CITY OF FRASER
MACOMB COUNTY, MICHIGAN**

RESOLUTION NO. ____

**RESOLUTION ESTABLISHING MORATORIUM REGARDING
THE ESTABLISHMENT OF BUSINESSES ENGAGED IN THE
DISPENSATION OR DISTRIBUTION OF MARIJUANA**

At the regular meeting of the City Council, the City of Fraser held in the Council Chambers at the City Offices, 33000 Garfield Road, Fraser, Michigan 48026 on the ____ day of September 2010, commencing at 7:00 p.m.

Present: COUNCIL PERSONS:

Absent: COUNCIL PERSONS:

WHEREAS, the use of medical marijuana for a debilitating medical condition is presently governed in Michigan pursuant to MCL 333.26423 and rules, if any, to be issued by the State Department of Community Health under MCL 333.26425; and

WHEREAS, the Michigan Department of Community Health has issued a pronouncement that the current law does not authorize dispensaries for marijuana; and

WHEREAS, the question of whether and how local units of government are required to provide for zoning and other regulation relating to the dispensing or distribution of marijuana remains an issue of discussion and debate, including for example, within the Michigan Municipal League; and

WHEREAS, the City is desirous of providing for an informed deliberative process in order to determine the issue of whether within the City, dispensing and distribution if any should occur, whether other regulatory controls should be implemented and is desirous of further review of the issues.

NOW, THEREFORE, upon motion by Council Person _____, supported by Council Person _____,

IT IS RESOLVED THAT, the following moratorium is implemented;

- a. A moratorium prohibiting the establishment of any business or premises, for the distribution or dispensation of marijuana other than for use by the person occupying the premises as a resident who has a debilitating medical condition allowing the use of marijuana as allowed pursuant to state law is hereby adopted, effective immediately

upon the adoption of this resolution. It shall remain in effect for one hundred eighty (180) days. This resolution does not restrict a licensed physician from prescribing marijuana compliant with state law.

Any and all resolutions in conflict herewith are repealed only to the extent necessary to give full force and effect to the foregoing provisions.

AYES: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED.

KATHY KACANOWSKI, City Clerk

CERTIFICATION OF CLERK

I hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted by the Council Persons for the City of Fraser, County of Macomb, State of Michigan, at a regular meeting held on September ____ 2010, and that public notice of said meeting was given as required by Act 267, Public Acts of 1976, as amended.

KATHY KACANOWSKI, Clerk