

CITY OF TRAVERSE CITY  
Ordinance Amendment No. 864  
Effective date: 4-19-10

**TITLE:** ORDINANCE ESTABLISHING MORATORIUM ON THE ISSUANCE OF PERMITS OR LICENSES FOR THE SALE OR DISPENSATION OF MEDICAL MARIHUANA

**BECAUSE**, the sale or dispensation of medical marihuana was not envisioned when the current Zoning Ordinance was adopted and the Zoning Ordinance does not currently address the use; and

**BECAUSE**, processing land use permit requests for land uses associated with the sale or dispensation of medical marihuana prior to the amendment of the Zoning Ordinance would be detrimental to the public health, safety, and welfare and would not ensure that the use is situated in appropriate locations and relationships; and

**BECAUSE**, the City desires to ascertain the best and safest path to comply with the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26423(d) and the Michigan Zoning Enabling Act in order to protect the public health, safety, and welfare; and

**BECAUSE**, the City Commission wishes there to be further study and the preparation of an ordinance in the very near future; and

**BECAUSE**, the City Commission determines that it is desirable to immediately forbid the issuance of permits and licenses for land uses associated with the sale or dispensation of medical marihuana until an amendment to the Zoning Ordinance becomes effective; and,

**BECAUSE**, Chapter IV, Section 31 of the City Charter authorizes the City Commission to enact ordinances immediately necessary for the preservation of the public health, peace, or safety on the date of introduction and give them immediate effect, and the City Commission determines that the following ordinance satisfies that requirement;

**THE CITY OF TRAVERSE CITY ORDAINS AS FOLLOWS:**

- (1) A moratorium is established on the issuance of all City permits, licenses, and approvals, including building permits, land use permits, and certificates of occupancy, in regard to land uses associated with the sale or dispensation of medical marihuana from the effective date hereof, until August 19, 2010, or the effective date of the adoption of proper text amendments to the Zoning Ordinance and any necessary licensing requirements, whichever occurs first.


- (2) All City boards and commissions are asked and authorized to give their analysis and recommendation regarding a zoning ordinance or licensing regulation concerning the sale and dispensation of medical marihuana top priority.
- (3) This ordinance shall be given immediate effect.

I hereby certify the above ordinance amendment was introduced, enacted and given immediate effect on April 19, 2010, at a regular meeting of the City Commission by a vote of Yes: 7 No: 0 at the Commission Chambers, Governmental Center, Traverse City, Michigan.



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Christopher M. Bzdok, Mayor



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Debbra A. Curtiss, City Clerk

I hereby certify that a notice of the adoption of the above ordinance amendment was published in the Traverse City Record Eagle, a daily newspaper published in Traverse City, Michigan, on April 25, 2010.



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Debbra A. Curtiss, City Clerk