

CITY OF IRON RIVER

The Planning Commission will hold a **public hearing** to consider adoption of proposed Ordinance No. 2019-02 which would amend the zoning ordinance to prohibit in all zoning districts the commercial provisions of the Michigan Regulation and Taxation Marihuana Act (MRTMA), otherwise known as the Recreational Marihuana Initiative. The hearing is scheduled for Thursday, March 14, 2019 at 9 a.m. in Council Chambers in City Hall, located at 106 W. Genesee St., Iron River, Michigan, 49935. Written comments can be sent to the City Clerk at the fore mentioned address or at clerk@ironriver.org.

Section 151.109 Prohibition of Recreational Marihuana Establishments

- (A) Marihuana establishments, as authorized by and defined in the Michigan Regulation and Taxation of Marihuana Act (the “Act”), are prohibited in all zoning districts, and shall not be permitted as home occupations under Section 151.090 of this Chapter.
- (B) No use that constitutes or purports to be a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter or any other type of marihuana related business authorized by the Act, that was engaged in prior to the enactment of this Ordinance, shall be deemed to have been a legally established use under the provisions of the City Code of Ordinances; that use shall not be entitled to claim legal nonconforming status.
- (C) Violations of this section are subject to the violations and penalties pursuant to Section 151.042 of this Chapter and may be abated as nuisances pursuant to Section 151.042.
- (D) This section does not supersede rights and obligations with respect to the transportation of marihuana by marihuana secure transporters through the City to the extent provided by the Act and does not supersede rights and the regulations with respect to medical marihuana facilities established pursuant to the Michigan Medical Marihuana Act.
- (E) All ordinances or parts of ordinances in conflict with this ordinance are repealed.
- (F) The adoption of this ordinance is hereby declared an emergency effecting the public peace, health and safety and this ordinance shall, therefore, be effective immediately upon its adoption.
- (G) After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the City Clerk in the *Iron County Reporter*, a newspaper of general circulation in the City.