

**CITY OF HUNTINGTON WOODS
OAKLAND COUNTY, MICHIGAN
ORDINANCE NO. _____**

AN ORDINANCE TO AMEND CHAPTER 40, ZONING, ARTICLE 5, SPECIFIC USE PROVISIONS, SECTION 5.04, MEDICAL MARIHUANA, OF THE CODE OF ORDINANCES OF THE CITY OF HUNTINGTON WOODS, TO DELETE THE PROHIBITION FROM USE OF ACCESSORY STRUCTURES FOR MEDICAL MARIHUANA ACTIVITIES.

THE CITY OF HUNTINGTON WOODS ORDAINS:

SECTION 1. Chapter 40, Zoning, Article 5, Specific Use Provisions, Section 5.04, Medical Marihuana, is amended to read as follows:

Sec. 5.04. Medical Marihuana

- (A) Uses of land or buildings or structures for commercial uses or purposes that are prohibited by or contrary to federal, state or local regulations and ordinances are expressly prohibited in any zoning district within the City. Medical marihuana provision centers, safety compliance facilities, dispensaries, cooperatives, and any other operation or facility similar in nature, are specifically prohibited. However, the following activities are exempt from this prohibition in accordance with the Michigan Medical Marihuana Act, PA 2008, Initiated Law No. 1, MCL 333.26423(d):
- (1) The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer or transportation of Medical Marihuana by a registered qualifying patient as defined in the Michigan Medical Marihuana Act, PA 2008, Initiated Law No. 1, subject to Sec. 5.04.B below;
 - (2) The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer or transportation of Medical Marihuana or provision of services to a qualifying patient by a primary caregiver as defined in the Michigan Medical Marihuana Act, PA 2008, Initiated Law No. 1, subject to Sec. 5.04.B below.
- (B) Medical marihuana activities shall be subject to the following limitations:
- (1) Medical marihuana activities are permitted only in the R-1A, R-1B, R-1C, R-1D and R-1E zoning districts. Medical marihuana activities are expressly prohibited in all other zoning districts.
 - (2) All medical marihuana activities shall be conducted in full compliance with the Michigan Medical Marihuana Act, PA 2008, Initiated Law, as amended.
 - (3) All medical marihuana activities shall be conducted in full compliance with all applicable building, plumbing and fire codes.

- (4) Medical marihuana provisioning centers, safety compliance facilities, dispensaries, cooperatives, and any other operation or facility similar in nature are specifically prohibited.

SECTION 2. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Huntington Woods shall be affected by this ordinance except as to the above section, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Huntington Woods.

SECTION 3. Effective Date.

This ordinance shall be effective thirty (30) days from the date of adoption and shall be published as required by the Charter of the City of Huntington Woods.

MADE, PASSED AND ADOPTED by the Commission of the City of Huntington Woods on this _____ day of _____, 2018.

ROBERT PAUL, MAYOR