



## CHARTER TOWNSHIP OF TEXAS

### NOTICE OF ADOPTION OF ORDINANCE NO. 340 ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS UNDER INITIATED LAW 1 OF 2018, THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT

**To the residents and property owners of the Charter Township of Texas, Kalamazoo County, Michigan, and all other interested persons:**

On January 14, 2019, the Charter Township of Texas (the “Township”) adopted Ordinance Prohibiting Marihuana Establishments Under Initiated Law 1 of 2018, the Michigan Regulation and Taxation of Marihuana Act (“Ordinance”). The following is a summary of the Ordinance. A true copy of the Ordinance, including any exhibits, is available for inspection at the Township Hall, 7110 West Q Avenue, Kalamazoo, Michigan 49009, and is posted on the website of the Charter Township of Texas, <http://www.texastownship.org>.

#### **Section 1. Findings.**

This section discusses the findings in support of the Ordinance, specifically that Michigan voters approved Initiated Law 1 of 2018, known as the Michigan Regulation and Taxation of Marihuana Act, which authorizes a municipality to completely prohibit or limit the number of marihuana establishments within its boundaries. The Township has considered the potential benefits, challenges, and costs of permitting marihuana establishments within its boundaries and has determined that prohibiting marihuana establishments is in the best interest of the public health, safety, and welfare.

#### **Section 2. Prohibition on Marihuana Establishments.**

This section states that, pursuant to Section 6 of the 2018 Marihuana Act, the Township prohibits marihuana establishments within its boundaries.

#### **Section 3. Scope.**

This section states that nothing in the Ordinance shall be construed to prohibit activities that are permitted under the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 *et seq.*

#### **Section 4. Validity and Severability.**

This section states that if any portion of the Ordinance is found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of the Ordinance or any other ordinance.



**Section 5.      Repealer Clause.**

This section states that any ordinances or parts of ordinances in conflict with the Ordinance are repealed but only to the extent necessary to give the Ordinance full force and effect.

**Section 6.      Effective Date.**

This section states that the Ordinance shall become effective immediately after adoption and publication in a newspaper of general circulation in the Township.

Linda Kerr, Clerk, CMC MPA  
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