



*Michigan State University Extension*  
*Land Use Series*

## **Resolution Regarding Not Allowing Medical Marihuana Facilities**

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This document provides a sample resolution that makes a record of a municipality's decision to not adopt an ordinance to authorize any medical marihuana facilities as identified in the Medical Marihuana Facilities Licensing Act, MCL 333.27101, *et seq.* (PA 281 of 2016). This document is as an example prepared for educational purposes only and is not intended to provide legal advice. You should consult an attorney experienced in municipal law before adopting. This sample resolution, or any portion of it, must be adapted to local circumstances and may need to be updated as laws change. Use of these materials is at the sole risk of the user.

This document is written for use in Michigan and is based only on Michigan law and statute. One should not assume the concepts and rules for ordinance or other regulation by Michigan municipalities applies in other states. In most cases they do not. The following is a sample resolution (motion) and is not an ordinance or law that would be adopted by a municipality (township board of trustees, village council, or city council) – not a county board of commissioners.

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*“Thirty seven million acres is  
all the Michigan we will ever have”*  
William G. Milliken

This is a fact sheet developed by experts on the topic(s) covered within MSU Extension. Its intent and use is to assist Michigan communities making public policy decisions on these issues. This work refers to university-based peer reviewed research, when available and conclusive, and based on the parameters of the law as it relates to the topic(s) in Michigan. This document is written for use in Michigan and is based only on Michigan law and statute. One should not assume the concepts and rules for zoning or other regulation by Michigan municipalities and counties apply in other states. In most cases they do not. This is not original research or a study proposing new findings or conclusions.

### RESOLUTION REGARDING THE MEDICAL MARIHUANA FACILITIES LICENSING ACT

At a regular meeting of the [council/board] of the [municipality], [county], Michigan, held in [location] on [date], at [time] [a.m./p.m.].

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by [name] and supported by [name]:

WHEREAS the State of Michigan enacted the Medical Marihuana Facilities Licensing Act, Mich. Comp. Laws § 333.27101, *et seq.* (2016), to license and regulate certain commercial entities identified in the Act as growers, processors, provisioning centers, secure transporters, and safety compliance facilities; and

WHEREAS the Medical Marihuana Facilities Licensing Act provides that a marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility; and

WHEREAS, being duly informed and advised, the [council/board] has decided it shall NOT adopt an ordinance to authorize the location of any medical marihuana facilities within the [municipality] as provided by the Medical Marihuana Facilities Licensing Act;

NOW THEREFORE BE IT RESOLVED that the [council/board] of the [municipality] hereby makes a record of its decision to NOT adopt an ordinance to authorize within the [municipality] the location of any medical marihuana facilities as identified in the Medical Marihuana Facilities Licensing Act, Mich. Comp. Laws § 333.27101, *et seq.* (2016).

AYES:

NAYES:

ABSTAINED:

DECLARED: [ADOPTED/REJECTED].

## CERTIFICATION

I, the undersigned [title of office] of the [municipality], [county] County, Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the [council/board] of the [name of municipality] at a regular meeting held on [date].

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