

**FORSYTH TOWNSHIP
MARQUETTE COUNTY, MICHIGAN**

**ORDINANCE AMENDING THE ORDINANCE AUTHORIZING AND PERMITTING
MEDICAL AND ADULT-USE MARIHUANA**

ORDINANCE NO. 3-2021

At a regular meeting of the Township Board of Forsyth Township, Marquette County, Michigan, held at the Gwinn Community Center on September 23, 2021 at 6:30 p.m., Township Board Member Treasurer Kevern moved to adopt the following Ordinance, which motion was seconded by Township Board Member Clerk Borrett:

An Ordinance to amend the Ordinance Authorizing and Permitting Medical and Adult-Use Marihuana, Ordinance No. 1-2021, to increase the number of Marihuana Retailer permits to two (2).

THE TOWNSHIP OF FORSYTH ORDAINS:

Section 1. Amendment to Section 3. Section 3 of the Ordinance Authorizing and Permitting Medical and Adult-Use Marihuana, Ordinance No.1-201, shall be amended to read as follows:

SECTION 3: PERMIT REQUIRED; NUMBER OF PERMITS AVAILABLE; ELIGIBILITY; GENERAL PROVISIONS.

1. The Township hereby authorizes the operation of the following types of Marihuana Businesses, subject to the number of available Permits issued in this Section:
 - a. Growers, Class A
 - b. Growers, Class B
 - c. Growers, Class C
 - d. Processors
 - e. Provisioning Centers
 - f. Safety Compliance Facilities
 - g. Secure Transporters
 - h. Marihuana Grower, Class A
 - i. Marihuana Grower, Class B
 - j. Marihuana Grower, Class C
 - k. Marihuana Processor
 - l. Marihuana Retailer
 - m. Marihuana Safety Compliance Facility
 - n. Marihuana Secure Transporter

2. The number of Marihuana Business Permits in effect at any time shall not exceed the following maximums within the Township:

- a. Grower Permits, Class A: 1
- b. Grower Permits, Class B: 1
- c. Grower Permits, Class C: 3
- d. Processor Permits: 3
- e. Provisioning Center Permits: 1
- f. Safety Compliance Facility Permits: 1
- g. Secure Transporter Permits: 2
- h. Marihuana Grower Permits, Class A: 1
- i. Marihuana Grower Permits, Class B: 1
- j. Marihuana Grower Permits, Class C: 5
- k. Marihuana Processor Permits: 3
- l. Marihuana Retailer Permits: 2
- m. Marihuana Safety Compliance Facility Permits: 1
- n. Marihuana Secure Transporter Permits: 2

The Township Board may review and amend these numbers by resolution annually or as it determines to be advisable. Such revisions shall not be the basis for termination or non-renewal of a Permit previously issued. The Board's findings shall be recorded in the minutes of the relevant meeting of the Township Board.

- 3. It shall be unlawful for any person to engage in, or be issued a Permit for, the operation of the following Marihuana Businesses:
 - a. Marihuana Microbusiness
 - b. Excess Marihuana Grower
 - c. Designated Consumption Establishment
 - d. Marihuana Event Organizer
 - e. Temporary Marihuana Event
- 4. No Person shall operate a Marihuana Business at any time and at any location within the Township unless an effective Permit for that Person at that location has been issued under this Ordinance.
- 5. Marihuana Businesses shall operate only as allowed under this Ordinance.
- 6. The requirements set forth in this Ordinance shall be in addition to, and not in lieu of, any other licensing or permitting requirements imposed by applicable federal, state or local laws, regulations, codes or ordinances.
- 7. Applicants shall pay all applicable fees for Permits to the Township to defray the costs incurred by the Township for application, administration, and enforcement of the local regulations regarding Marihuana Businesses. The application fee shall be \$5,000. The fee

shall be paid with the initial application, as well as with each subsequent annual renewal application.

8. A Permit or Renewal Permit shall remain valid only for one year following its approval.
9. A Permit and a Renewal Permit shall not confer any vested rights or reasonable expectation of subsequent renewal on the Applicant or Permit Holder.
10. Each year, any pending Applications for renewal, amendment, or transfer of existing Permits shall be reviewed and granted or denied before Applications for new Permits are considered.
11. It is always the exclusive responsibility of each Permit Holder, Applicant, owner, partner, director, officer, or manager at all times during the Application period and during its operation to immediately provide the Township with all material changes in any information submitted on an Application and any other changes that may materially affect any state License or Township Permit.
12. No Permit issued under this Ordinance may be transferred to any Person unless the Transferee has submitted an Application, all required fees under this Ordinance, and has been granted a Permit by the Township Board under this Ordinance.
13. No change in control of a Permit Holder, business organization, or any attempted transfer, sale, or other conveyance of an interest of more than 1% in a Permit, whether through a single transaction or the combined sum of multiple transactions, is permitted unless the transferee has submitted an appropriate Application and all required fees under this Ordinance.
14. The Permit issued under this Ordinance shall be prominently displayed at the Permitted Premises in a location where it can be easily viewed by the public, law enforcement and administrative authorities.
15. Acceptance by the Permit Holder of a Permit constitutes consent by the Permit Holder and its owners, officers, managers, agents and employees for any state, federal or local law enforcement, to conduct random and unannounced examinations of the Marihuana Business and all articles of property in that Marihuana Business at any time to ensure compliance with this Ordinance, any other local regulations, and with the Permit.
16. A Permit Holder may not engage in any other Marihuana Business in the Permitted Premises or on the Permitted Property, or in its name at any other location within the Township, without first obtaining a separate Permit.
17. If at any time a Permit Holder or an authorized Marihuana Business violates this Ordinance, the Township Board may request that the state revoke or refrain from renewing the Marihuana Business's state License. If such state License is revoked or fails to be renewed,

the Township shall revoke the Permit consistent with the penalty provisions of this Ordinance.

18. The Forsyth Township Board expressly reserves the right to amend or repeal this Ordinance in any way.

Section 2. Effective Date. This Ordinance Amendment shall take effect the day following the date of publication after adoption by the Township Board.

Section 3. Repeal. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

YEAS: Trustee Heikkila, Clerk Borrett, Treasurer Kevern

NAYS: None

ABSENT/ABSTAIN: Trustee Bodenus, Supervisor Boogren

ORDINANCE DECLARED ADOPTED:




Joseph Boogren, Forsyth Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Forsyth Township Board at a duly scheduled and noticed meeting of that Township Board held on September 23, 2021, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in The Mining Journal newspaper, a newspaper that circulates within Forsyth Township, on September 28, 2021.
3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.



Michelle Borrett, Forsyth Township Clerk