

**CITY OF LOWELL
KENT COUNTY, MICHIGAN**

Councilmember Ellison, supported by Councilmember Schrauben, moved the adoption of the following ordinance:

ORDINANCE NO. 10-01

AN ORDINANCE TO IMPOSE A MORATORIUM ON THE ISSUANCE OF PERMITS, LICENSES AND APPROVALS FOR THE SALE OR DISPENSATION OF MEDICAL MARIJUANA WITHIN THE CITY OF LOWELL

THE CITY OF LOWELL ORDAINS:

Section 1. Findings. The City Council has determined that:

- A. The provisions of Appendix A, “Zoning,” of the Code of Ordinances of the City of Lowell were adopted on December 27, 1995, and these zoning regulations have not kept pace with recent statewide legislation.
- B. It is within the right of the City to establish reasonable regulations to control the sale and dispensation of medical marijuana in order to protect the public health, safety and welfare.
- C. A moratorium should be imposed upon the issuance of any and all permits, licenses and approvals for the sale or dispensation of medical marijuana for six (6) months or until an amendment to Appendix A, “Zoning” of the Code of Ordinances of the City, whichever occurs first.

Section 2. Moratorium. There be and hereby is imposed for a period of six (6) months from the effective date of this ordinance a moratorium upon the issuance of any permits, licenses or approvals for the sale and dispensation of medical marijuana within the City.

Section 3. Expiration. The moratorium imposed by this ordinance shall expire the earlier of six (6) months from its effective date or the effective date of an amendment to Appendix A, “Zoning” of the Code of Ordinances of the City.

Section 4. Effective Date. This ordinance shall be effective upon its adoption, the City Council having determined its adoption is an emergency affecting public peace, health and safety.

Section 5. Publication. After its adoption and as soon as practical, this ordinance or a summary thereof, as permitted by law, shall be published by the City Clerk in the *Lowell Ledger*, a newspaper of general circulation in the City.

YEAS: Councilmembers Altoft, LaPonsie, Schrauben, Mayor Pro Tem Ellison and Mayor Hodges

NAYS: Councilmembers none.

ABSTAIN: Councilmembers none.

ABSENT: Councilmembers none.

ORDINANCE DECLARED ADOPTED.

Dated: February 16, 2010

Betty R. Morlock
City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Lowell, Kent County, Michigan, certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held February 16, 2010, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents, was published in the *Lowell Ledger* on March 10, 2010. I further certify that the above ordinance was entered into the Ordinance Book of the City on February 16, 2010, and was effective March 20, 2010, ten (10) days after publication.

Dated: February 16, 2010

Betty R. Morlock
City Clerk