

**BATH CHARTER TOWNSHIP
CLINTON COUNTY, MICHIGAN**

ZONING ORDINANCE AMENDMENT

ORDINANCE NO. 31.68

At a regular meeting of the Township Board of Bath Charter Township, Clinton County, Michigan, held electronically via Zoom on _____, 2021, at _____ p.m., Township Board Member _____ moved to adopt the following ordinance, which motion was seconded by Township Board Member _____:

An Ordinance to amend the Bath Charter Township Zoning Ordinance, as amended, to provide for the zoning regulation of Adult Use Establishments; and designate such Establishments as special uses; in order to maintain the public health, safety and welfare of the residents and visitors to Bath Charter Township.

THE TOWNSHIP OF BATH ORDAINS:

SECTION 1. Amendment of Article III, Section 302, Definitions: The Bath Charter Township Zoning Ordinance, Article III, Section 3.02, Definitions, shall be amended to add the following defined terms:

1. “*Marihuana Establishment*” or “*Establishment*” means one of the following, or any other type of marihuana-related business Licensed by the department.
 - a. “*Marihuana grower*,” as that term is defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951 *et seq.* (“MRTMA”); and
 - b. “*Marihuana microbusiness*,” as that term is defined in the MRTMA; and
 - c. “*Marihuana processor*,” as that term is defined in the MRTMA; and
 - d. “*Marihuana retailer*,” as that term is defined in the MRTMA; and
 - e. “*Marihuana secure transporter*,” as that term is defined in the MRTMA; and
 - f. “*Marihuana safety compliance facility*,” as that term is defined in the MRTMA; and
 - g. “*Designated consumption establishment*,” as that term is defined by the Department or as may be defined in the MRTMA; and
 - h. “*Excess marihuana grower*,” as that term is defined by the Department or as may be defined in the MRTMA; and

- i. “*Marihuana event organizer*,” as that term is defined by the Department or as may be defined in the MRTMA; and
 - j. “*Temporary marihuana event*” as that term is defined by the Department or as may be defined in the MRTMA.
2. “*Marihuana*” means that term as defined Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106 and as defined in the MRTMA.

SECTION 2. Amendment of Article VI, Section 6.04, Uses Permitted by Special Use Permit: The Bath Charter Township Zoning Ordinance, Article VI, Section 6.04, Uses Permitted by Special Use Permit, shall be amended to add the following special land uses in addition to those presently listed in the Development District:

1. Marihuana grower, Class A, Class B, and Class C
2. Marihuana Processor
3. Marihuana safety compliance facility
4. Marihuana Retailer
5. Marihuana Microbusiness

SECTION 3. Amendment of Article IX, Section 9.04, Uses Permitted by Special Use Permit: The Bath Charter Township Zoning Ordinance, Article IX, Section 9.04, Uses Permitted by Special Use Permit, shall be amended to add the following special land uses in addition to those presently listed in the Industrial:

1. Marihuana Processor
2. Marihuana safety compliance facility

SECTION 4. Amendment of Article XIX, Section 19.02, Application Procedures: The Bath Charter Township Zoning Ordinance, Article XIX, Section 19.02, Application Procedures, shall be amended to add the following data required in application:

- (C) Data required in application. Every application shall be accompanied by sufficient copies of the following information and data:
 - (1) Special form supplied by the Township Clerk filled out in full by the applicant.
 - (2) Sketch plan as specified in section 20.03.
 - (3) Site plan, containing information specified in section 20.03.
 - (4) Preliminary plans and outline specifications of the proposed development, if applicable.

(5) A statement with supporting evidence regarding the required findings specified in section 19.04.

(6) For Marihuana Establishments only, a statement with supporting evidence showing issuance of conditional approval by the Township Board.

SECTION 5. Severability: The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

SECTION 6. Effective Date: This Ordinance shall take effect seven (7) days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

Marie Howe, Bath Charter Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Bath Charter Township Board at a duly scheduled and noticed meeting of that Township Board held on _____, 2021, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the _____ newspaper, a newspaper that circulates within Bath Charter Township, on _____, 2021.
3. Within one 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.

4. I filed an attested copy of the above Ordinance with the Clinton County Clerk on _____, 2021.

ATTESTED:

NAME, Bath Charter Township Clerk