

ORDINANCE NO. 398

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE ZEELAND CHARTER TOWNSHIP ZONING ORDINANCE BY ADDING A PROHIBITION FOR MARIHUANA ESTABLISHMENTS; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

THE CHARTER TOWNSHIP OF ZEELAND, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Marihuana Establishments. Section 3.34 of the Zeeland Charter Township Zoning Ordinance (the "Zoning Ordinance") shall be added to state in its entirety as follows.

SECTION 3.34 PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS

- A. Marihuana establishments, as authorized by and defined in the Michigan Regulation and Taxation of Marihuana Act (the "Act"), are prohibited in all Zoning Districts, and shall not be permitted as Home Occupations under Section 3.25 of this Ordinance.
- B. No use that constitutes or purports to be a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter or any other type of marihuana related business authorized by the Act, that was engaged in prior to the enactment of this Ordinance or prior to the addition of this Section to the Ordinance, shall be deemed to have been a legally established use under the provisions of this Ordinance; that use shall not be entitled to claim legal nonconforming status.
- C. Violations of this Section are subject to the violations and penalties pursuant to Chapter 19 of this Ordinance and may be abated as nuisances.

Section 2. Effective Date. The foregoing amendment to the Zeeland Charter Township Zoning Ordinance was approved and adopted by the Township Board of Zeeland Charter Township, Ottawa County, Michigan on April 16, 2019, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading and publication following that first reading. This Ordinance shall be effective on May 3, 2019, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as

amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Glenn Nykamp, Township Supervisor



Kate Kraak, Township Clerk

CERTIFICATE

I, Kate Kraak, Clerk for the Charter Township of Zeeland, Ottawa County, Michigan, certify that the foregoing Zeeland Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on May 16, 2019. The following members of the Township Board were present at that meeting: Riemersma, Barkel, Overweg, Kraak, Salisbury and Brink. The following members of the Township Board were absent: Nykamp. The Ordinance was adopted by the Township Board with members of the Board: Riemersma, Barkel, Overweg, Kraak, Salisbury and Brink voting in favor and members of the Board: None voting in opposition. The Ordinance or a summary was published in the *Zeeland Record* on April 25, 2019.



Kate Kraak, Township Clerk