

May 5 2022

RE: Proposed "Adult Use Marihuana Establishments Ordinance" Summary

FROM: Ryan Madis, Ortonville Village Manager

The August 2, 2022 ballot will ask the voters of Ortonville to decide a question regarding the establishment of adult use marihuana establishments in the Village of Ortonville.

In 2018, voters in the state of Michigan voted on and passed the Michigan Regulation and Taxation of Marihuana Act (MRTMA), allowing recreational marihuana to be bought, sold, and consumed in Michigan. In 2019, the Ortonville Village Council opted out of allowing recreational marihuana establishments in the Village. Then, in 2020-2021, the group Residents for Ortonville circulated a petition to place this question of allowing recreational marihuana establishments in the Village on the ballot. Having gained enough signatures, this question is now before voters on the August 2 ballot. If passed, the proposed ordinance would go into effect. This memo is meant to educate voters by summarizing key aspects of the ballot question. However, the full text of the ordinance is on file with the Village Clerk and everyone is encouraged to get a copy of it and read it for themselves. If any portion of this summary conflicts with the language of the ordinance, the ordinance language controls.

The ordinance calls for up to two establishments, operating no earlier than 7am and no later than 11pm each day, open to adults 21 years of age and older. Delivery and a drive-thru window may also be utilized. Anticipating that demand to open one of these establishments might exceed the two-establishment limit, the ordinance sets up a scoring system that the Village Council would use to sift through applications and decide which applicants receive licenses.

To be eligible for this scoring system, applicants must meet locational restrictions: the parcel would need to be on a road that sees 20,000 or more cars per day, be a standalone building with no other businesses, and not abut a residential district. Additionally, establishments would be at least a minimum of 850 feet from a K-12 school, 1000 feet from a licensed childcare facility, 2000 feet from a park, and 500 feet from other marihuana establishments. Only applicants meeting these requirements move on to the scoring stage.

The ordinance gives a scoring key that the Village would apply to all eligible applicants. The two applicants who score highest would receive licenses.

Revenue can be expected to be received by the Village, if passed. The ordinance establishes an annual fee, up to \$5000 per applicant, as determined by the Village Council. The state law also calls for revenue sharing for municipalities with licensed establishments.

Village staff and officials would face new responsibilities if the ordinance is approved. The Clerk has several timelines and documenting processes that must be adhered to closely to follow the ordinance, with repercussions if timelines are not followed. The Zoning Administrator (currently the Village Manager), Planning Commission, and Village Council would be expected to review and approve site plans for each applicant. The Building Inspector and Official would be called upon to review site plans, perform inspections, and comply with the additional standards laid out by the MRTMA in addition to the standard building code.

The Village Council is working to ensure that voters have every opportunity to learn more about this ballot question and its implications for the Village of Ortonville. Questions from residents can be directed to the Village Manager or the Village Council. Additionally, public education events will take place in the Village during the months leading to the election on August 2, 2022. Please refer to the Village website and social media for more information.

Submitted,

Ryan Madis

Village Manager