

## Article VIII – Taxation & Business Regulation

### Chapter 840 – Regulation of Marijuana Establishments & Facilities

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#### **840.01 PURPOSE**

The purpose of this Chapter is to define and prohibit certain types of businesses which have been created either through the Michigan Medical Marijuana Facilities Licensing Act and/or the Michigan Regulation and Taxation of Marijuana Act from being located within the Village of Lake Isabella.

#### **840.03 DEFINITIONS**

- (a) The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
- (b) *IHRA* means the Industrial Hemp Research Act, 2014 PA 547, MCL 286.841 *et seq.*
- (c) *Marijuana establishment* means that term as defined in the MRTMA.
- (d) *Marijuana facility* means that term as defined in the MMFLA.
- (e) *MMFLA* means the Medical Marijuana Facilities Licensing Act, 2016 PA 281, as amended.
- (f) *MMMA* means the Michigan Medical Marijuana Act, 2008 IL 1, as amended.
- (g) *MRTMA* means the Michigan Regulation and Taxation of Marijuana Act, 2018 IL 1, as amended.

#### **840.05 MARIHUANA ESTABLISHMENTS AND FACILITIES PROHIBITED**

- (a) Pursuant to Section 6.1 of the MRTMA, marijuana establishments are prohibited within the boundaries of the Village of Lake Isabella. This prohibition includes, but is not limited to, any marijuana grower, marijuana safety compliance facility, marijuana processor, marijuana microbusiness, marijuana retailer, marijuana secure transporter, or any other type of marijuana-related business licensed by the State of Michigan under the Michigan Regulation and Taxation of Marijuana Act.

- (b) Pursuant to the Michigan Medical Marihuana Facilities Licensing Act, Section 205(1), being MCL 333.27205(1), the Village elects to prohibit medical marihuana facilities within its boundaries, including, but not limited to, any medical marihuana grower, medical marihuana processor, medical marihuana provisioning center, medical marihuana secure transporter, medical marihuana safety compliance facility, or any other type of medical marihuana-related business licensed by the State of Michigan under the Michigan Medical Marihuana Facilities Licensing Act.

**840.07      UNAFFECTED RIGHTS**

- (a) Except as specifically provided in Section 840.05, this Chapter shall not affect the rights or privileges of any individual or other person preserved under the MRTMA.
- (b) This Chapter does not affect the rights or privileges of a marihuana facility outside of the Village of Lake Isabella to engage in activities within the village that it is permitted to engage in under the MMFLA within a municipality that has not authorized marihuana facilities to operate within its boundaries.
- (c) This Chapter does not affect the rights or privileges of registered qualifying patients or registered primary caregivers under the MMMA or the MMFLA.
- (d) This Chapter does not affect the rights or privileges of any individual or other person under the IHRA.
- (e) This Chapter does not affect the rights or privileges of any individual or other person under any other federal or state law, rule or regulation related to the medical use of marihuana.