

SPECIAL ELECTION - AUGUST 3, 2021, BALLOT PROPOSAL

INITIATION OF ORDINANCE TO PROHIBIT ADULT-USE MARIHUANA ESTABLISHMENTS

Shall Whitewater Township adopt a proposed initiated ordinance that completely prohibits adult-use (also known as “recreational”) marihuana establishments within the boundaries of Whitewater Township?

FACTS RELATED TO THE BALLOT PROPOSAL

- If successful, the ballot proposal would implement an ordinance that prohibits adult-use (“recreational”) marihuana establishments within the Township, overriding the current Township ordinance that allows such establishments. The ballot proposal is available online here: <https://tinyurl.com/7pksabdv>
- Ordinance No. 60 was adopted by the Whitewater Township Board on 12/08/2020, allowing certain recreational marihuana establishments in the township. Recreational marihuana became legal in Michigan with the passage of statewide Proposal 18-1 on November 6, 2018. Ordinance No. 60 is available online here: <https://tinyurl.com/skhe5e7u>
- The Township Board also adopted Ordinance No. 59 which allows medical marihuana facilities under the same regulations as Ordinance 60. The ballot proposal does not impact Ordinance 59 or medical marihuana.
- Per Ordinance No. 60, “*Marihuana Establishment*” or “*Establishment*” is a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, designated consumption establishment, excess marihuana grower, marihuana event organizer, temporary marihuana event license, or any other type of marihuana-related business licensed by the Marijuana Regulatory Agency of the State of Michigan.
- In order for a person or entity to operate a recreational marihuana establishment in Whitewater Township, they must obtain a license from the State of Michigan. They also must obtain a permit from the township.
- With the adoption of Ordinance No. 60, Whitewater Township allowed two types of permits to be issued, marihuana grower and marihuana processor.
- The maximum number of recreational marihuana grower and processor permits allowed is:
 - ◆ a. Marihuana Grower Class A (not more than 100 plants): 50
 - ◆ b. Marihuana Grower Class B (not more than 500 plants): 50
 - ◆ c. Marihuana Grower Class C (not more than 2000 plants): 50
 - ◆ d. Marihuana processor: 5
 - ◆ e. All other types of recreational marihuana permits: Zero
- By “stacking” permits, a person or entity may apply for and receive more than one permit at a single location. For example, a person could have five Class C Growers, as well as a processor, at one location. The operator would have to pay six state licenses and six local permits, but it would only be one location in the township.
- Recreational Establishments are generally located in the agricultural and industrial zoning districts and Whitewater Township is in the process of adopting specific zoning regulations.
- Ordinance No. 60 requires that all growing and processing of recreational marihuana must take place indoors. No outside growing or processing is allowed.
- Applicants for recreational marihuana licenses must go through an extensive application process before being issued a license by the State of Michigan.
- Applicants for recreational marihuana permits must also go through an extensive application process at the township level and comply with all local ordinances and the special use permit process.
- Applicants must be re-licensed and re-permitted annually, and risk losing their license and/or permit if they are found to be in violation.