

**VILLAGE OF SPRING LAKE
OTTAWA COUNTY, MICHIGAN**

Council Member TePastte, supported by Council Member Petrus, moved the adoption of the following ordinance:

ORDINANCE NO. 355

**AN ORDINANCE TO AMEND THE CODE OF
ORDINANCES OF THE VILLAGE OF SPRING LAKE BY
ADDING A NEW SECTION WHICH NEW SECTION
SHALL BE DESIGNATED AS SECTION 390-35-1 OF
ARTICLE III OF CHAPTER 390 OF SAID CODE**

THE VILLAGE OF SPRING LAKE ORDAINS:

Section 1. Addition of Section 390-35-1 to Article III of Chapter 390. Section 390-35-1, "Prohibition of Recreational Marihuana Establishments," is added to Article III of Chapter 390, "Zoning," of the Code of Ordinances of the Village of Spring Lake to read as follows:

**§ 390-35-1. 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 article V of this chapter.
- 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, shall be deemed to have been a legally established use under the provisions of the Code; 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 § 390-216 of this chapter.
- D. This section does not supersede rights and obligations with respect to the transportation of marihuana by marihuana secure transporters through the Village to the extent provided by the Act, and does not supersede rights and the regulations under article V of this chapter with respect to medical marihuana facilities established pursuant to the Michigan Medical Marihuana Act.

Section 2. Effective Date. This ordinance shall be effective on the eighth day following its publication, or such later date as is required to comply with the requirements of Section 402 of Michigan Act 110 of 2006, as amended.

Section 3. Publication. After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the Village Clerk in *The Grand Haven Tribune*, a newspaper of general circulation in the Village.

ORDINANCE DECLARED ADOPTED.

Dated: March 18, 2019

Mark Powers, President

Marvin Hinga, Village Clerk

CERTIFICATION

I, the undersigned duly appointed Village Clerk of the Village of Spring Lake, Ottawa County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was published in *The Grand Haven Tribune*, a newspaper of general circulation in the Village on March 27, 2019, and that such ordinance was entered with the Ordinance Book of the Village on March 27, 2019.

Dated: March 27, 2019

Marvin, Village Clerk