

**VILLAGE OF PAW PAW**  
**COUNTY OF VAN BUREN, MICHIGAN**

At a regular meeting of the Village Council of the Village of Paw Paw, Van Buren County, Michigan, held at the Paw Paw Community Library, 609 West Michigan Avenue, Paw Paw, Michigan, on the 10<sup>th</sup> day of February 2020, at 7:30 p.m.

PRESENT: Members: \_\_\_\_\_

ABSENT: Members: \_\_\_\_\_

The following preamble and ordinance were offered by Member \_\_\_\_\_ and seconded by Member \_\_\_\_\_:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE  
OF THE VILLAGE OF PAW PAW**

**[Authorizing Medical Marihuana Facilities]**

THE VILLAGE OF PAW PAW ORDAINS:

Section 1.     **Definition – Medical Marihuana Facility.** Section 42.3 Definitions of the Zoning Ordinance for Village of Paw Paw is hereby amended to add the definition of “Medical Marihuana Facility,” which shall read in its entirety as follows:

**Medical Marihuana Facility.** A medical marihuana facility is a grower, processor, secure transporter, provisioning center or safety compliance facility, as defined under the Medical Marihuana Facilities Licensing Act, being Act 281 of the Public Acts of 2016.

Section 2.     **Licensed Medical Marihuana Secure Transporter Facility.** Sections 42-203(5), 42-303(6) and 42-323(3) shall be added to the Village of Paw Paw Zoning Ordinance to permit within the Village up to two, but not more than two, licensed medical marihuana secure transporter facilities operating in compliance with the Village Medical Marihuana Facilities Ordinance and with the Medical Marihuana Facilities Licensing Act, as special land uses in the B-2

General Business, I-1 Light Industrial and I-2 General Industrial districts, respectively. Sections 42-203(5), 42-303(6) and 42-323(3) shall each read as follows:

“State licensed medical marihuana secure transporter facility; provided, no more than two such facilities shall be permitted in the Village.”

Section 3.     **Licensed Medical Marihuana Provisioning Center Facility.** Sections 42-203(6), 42-223(13), 42-243(8) and 42-343(b)(5) shall be added to the Village of Paw Paw Zoning Ordinance to permit within the Village up to two, but not more than two, licensed medical marihuana provisioning center facilities operating in compliance with the Village Medical Marihuana Facilities Ordinance and with the Medical Marihuana Facilities Licensing Act, as special land uses in the B-1 Local Business, B-2 General Business, CBD Central Business and Village Revitalization Area PUD districts, respectively. Sections 42-203(6), 42-223(13), 42-243(8) and 42-343(b)(5) shall each read as follows:

“State licensed medical marihuana provisioning center facility; provided, no more than two such facilities shall be permitted in the Village.”

Section 4.     **Licensed Medical Marihuana Safety Compliance Facility.** Sections 42-223(14), 42-303(7), 42-323(4) and 42-343(b)(6) shall be added to the Village of Paw Paw Zoning Ordinance to permit within the Village up to two, but not more than two, licensed medical marihuana safety compliance facilities operating in compliance with the Village Medical Marihuana Facilities Ordinance and with the Medical Marihuana Facilities Licensing Act, as special land uses in the B-2 General Business, I-1 Light Industrial, and I-2 General Industrial districts, respectively. Sections 42-223(14), 42-303(7), 42-323(4) and 42-343(b)(6) shall each read as follows:

“State licensed medical marihuana safety compliance facility; provided, no more than two such facilities shall be permitted in the Village.”

Section 5.     **Special Land Use Restrictions.** Section 42-367 shall be amended to add subsection (28) Medical Marihuana Facilities, and shall read as follows:

(28) Medical Marihuana Facilities

- a. A Medical Marihuana Facility shall possess a state operating license for such facility authorizing operations within the Village and shall be in compliance with all Village ordinances and State laws, rules and regulations governing the facility.
- b. A Medical Marihuana Facility shall comply with the following criteria:
  1. Lighting – The placement and arrangement of outdoor lighting serving the facility shall provide adequate security and comply with the purpose, objectives and standards set forth in Section 42-405 – Lighting.
  2. Noise – Noise and vibration shall be controlled so as to minimize their effect upon the surrounding lands and area. Equipment and features designed to eliminate negative effects on adjacent properties and their owners, including the use of walls and vegetative buffers/screens, shall be employed.
  3. Odor – Odor shall be controlled so as to minimize the effect upon the surrounding area. Order control systems and operational procedures designed to eliminate negative effects on adjacent properties and their owners shall be employed.
  4. Environmental – Information on the storage and use of products, water and energy consumption, and waste disposal associated with a facility shall be submitted to the Village to allow for an assessment of potential effects on the site and surrounding area and the applicability of state and local regulations.
  5. Traffic – Safe and efficient ingress and egress, loading and travel patterns of the traffic associated with the operation of the facility, with specific attention to avoiding the routing of traffic through shall be demonstrated predominantly residential areas.
  6. Security – Security measures, such as fencing, access controls, and video surveillance, shall be provided to assure public safety is maintained at the facility.
  7. Impact on Neighboring Property – Barriers, buffers, facility separations, and/or operational requirements may be applied to eliminate injurious or annoying effects on surrounding lands, areas or residents.

Section 6.      **Effective Date.** This Ordinance shall become effective seven days after its publication or seven days after the publication of a summary of its provisions in a local newspaper of general circulation in the Village.

AYES:            Members: \_\_\_\_\_

NAYS:           Members: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

\_\_\_\_\_  
Karla Tacy, Clerk  
Village of Paw Paw

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Paw Paw at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

\_\_\_\_\_  
Karla Tacy, Clerk  
Village of Paw Paw