

**BIRCH RUN TOWNSHIP**

**RESOLUTION #2023-09**

**RESOLUTION TO ADOPT ORDINANCE NO. 2023-05 AN ORDINANCE AMENDING  
ORDINANCE #2022-02 RECREATIONAL MARIHUANA POLICE POWERS ORDINANCE**

At a meeting of the Township Board for the Township of Birch Run, Saginaw County, Michigan, held on the 13<sup>th</sup> day of June 2023.

PRESENT: Watts, K. Kiessling, Letterman, C. Trinklein, Sheridan, D. Trinklein Jr., R. Kiessling

ABSENT: None

The following preamble and resolution were offered by Riley Kiessling and seconded by Dale Trinklein Jr.

WHEREAS, the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 ("MRTMA") and the Township Ordinances Act, MCL 41.181 et seq. authorizes Birch Run Township (the "Township") to adopt reasonable regulations to control the establishment and use of marihuana establishments in the Township; and

WHEREAS, the Township adopted an ordinance in February 2022 providing regulations applicable to recreational marihuana establishments in the Township ("Ordinance No. 2022-02"); and

WHEREAS, the Township wishes to amend Ordinance No. 2022-02 in order to increase the number of permitted recreational Marihuana retailer establishments in the Township from two to no more than eight (the "Proposed Ordinance", Exhibit A); and

WHEREAS, the Township Board has determined that adopting the Proposed Ordinance is in the best interest of the Township health, safety, and welfare.

NOW, THEREFORE, the Township Board of the Township of Birch Run resolves as follows:

1. The Township adopts Ordinance No. 2023-05, An Ordinance Amending Ordinance #2022-02 Recreational Marihuana Police Powers Ordinance (the "Ordinance," attached as Exhibit A).
2. The Ordinance must be filed with the Township Clerk.
3. The Township Clerk must publish either a true copy or a summary of the Ordinance in a newspaper of general circulation in the Township within 30 days after the Township approves the Ordinance. (Exhibit B)
4. Any resolution that conflicts with this Resolution is repealed upon the effective date of the Ordinance.

A vote on the above Resolution was taken and was as follows:

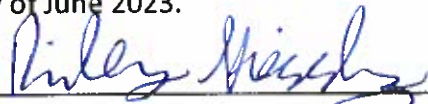
ADOPTED:

YEAS: R. Kiessling, C. Trinklein, D. Trinklein Jr., Sheridan, Letterman, K. Kiessling, Watts,

NAYS: None

STATE OF MICHIGAN                    )  
  ) ss.  
COUNTY OF SAGINAW                )

I, the undersigned, the duly qualified and acting Township Clerk of the Township of Birch Run, Michigan, CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a meeting held on the 13<sup>th</sup> day of June 2023.

  
Riley Kiessling, Township Clerk



**BIRCH RUN TOWNSHIP**

**ORDINANCE NO. 2023-05, ORDINANCE AMENDING ORDINANCE #2022-02  
RECREATIONAL MARIHUANA POLICE POWERS ORDINANCE**

The Township of Birch Run Ordains:

**Section 1.**

Section IV(1) of the Ordinance #2022-02 is hereby amended to increase the number of licenses for recreational Marihuana retailer establishments from two to no more than eight. The subsection shall read, in its entirety, as follows:

1. Marihuana retailer, as defined by MCL 333.27953 as amended. Marihuana retailer marihuana establishment is hereby permitted within the boundaries of the Township of Birch Run pursuant to Initiated Law 1 of 2018, MCL 333.27951, et seq., as may be amended, subject to all other applicable state and local laws and regulations including but not limited to the Birch Run Township Zoning Ordinance, as amended. **The number of Birch Run Township Marihuana permits/licenses for a recreational Marihuana retailer establishment shall be limited to a total of no more than eight (8).**

**Section 2.**

If any portion of the Ordinance is found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

**Section 3.**

All ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed, but only to the extent necessary to give this ordinance full force and effect. Ordinance #2022-02, to the extent it is not amended herein, shall remain in full force and effect.

**Section 4.**

The Ordinance shall take effect thirty days after publication.

**BIRCH RUN TOWNSHIP**

**NOTICE OF ADOPTION OF ORDINANCE NO. 2023-05 ORDINANCE AMENDING  
ORDINANCE #2022-02 RECREATIONAL MARIHUANA POLICE POWERS ORDINANCE**

**To the residents and property owners of the Township of Birch Run, Saginaw County, Michigan,  
and all other interested persons:**

On June 13<sup>th</sup>, 2023, the Township of Birch Run (the "Township") adopted An Ordinance Amending Ordinance #2022-02 Recreational Marihuana Police Powers Ordinance. A true copy of the Ordinance, including any exhibits, is available for inspection at the Township Hall 8425 Main Street, Birch Run, MI 48415.

Section 1. This section provides that Section IV(1) of Ordinance #2022-02 is hereby amended to increase the number of licenses for recreational Marihuana retailer establishments from two to no more than eight.

Section 2. This section provides that if any portion of the Ordinance is found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 3. This section provides that all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed, specifically the Birch Run Township Prohibition of Certain Types and Quantities of Recreational Marihuana Establishments Police-Power Ordinance.

Section 4. This section provides that the Ordinance shall take effect thirty days after publication.

Riley Kiessling, Clerk  
8425 Main Street  
Birch Run, MI 48415  
989-624-9773