

NOTICE OF INTRODUCTION & POSTING OF PROPOSED CHARTER TOWNSHIP OF ALPENA ORDINANCE
(ORDINANCE NO. 150; AMENDMENT OF CHARTER TOWNSHIP OF ALPENA ZONING ORDINANCE)
AND NOTICE OF CHARTER TOWNSHIP OF ALPENA BOARD MEETING

TAKE NOTICE that on the 12th day of April, 2022, a proposed ordinance (Ordinance No. 150) was introduced during a regular meeting of the Township Board of the Charter Township of Alpena. The proposed ordinance, if subsequently adopted by the Township Board, will modify the Charter Township of Alpena Zoning Ordinance as follows:

- Amend section 201 (Definitions) to revise and add “Marihuana Definitions” in the Zoning Ordinance, including definitions of the following terms: Enclosed, Locked Facility; Adult-Use Marihuana Establishment definitions, including Marihuana Grower (Class A Grower, Class B Grower, and Class C Grower), Marihuana Microbusiness, Marihuana Processor, Marihuana Retailer, Marihuana Secure Transporter, and Marihuana Safety Compliance Facility; Medical Marihuana Facility definitions, including Marihuana Grower (Class A Grower, Class B Grower, and Class C Grower), Marihuana Processor, Marihuana Provisioning Center, Marihuana Safety Compliance Facility, and Marihuana Secure Transporter; Marihuana; Person; Primary Caregiver; Primary Caregiver Facility; and Qualifying Patient.

- Amend section 416 (the Table of Permitted & Special Land Uses) to specify the Charter Township of Alpena zoning districts in which the various types of adult-use marihuana establishment uses and medical marihuana facility uses are permitted in the Township with a special use permit issued by the Township Planning Commission.

- Add section 743 (Medical Marihuana Facilities and Adult-Use Marihuana Establishments) to specify: A. General Standards and Submission Requirements, including a requirement that the marihuana business remain in compliance with state of Michigan licensing requirements; a requirement that the marihuana business receive a license from the Township pursuant to its marihuana regulatory ordinance; the fact that if the state of Michigan authorizes additional types of marihuana businesses, such businesses shall not be allowed unless the Township zoning ordinance and marihuana regulatory ordinance are amended to allow such businesses in the Township; site plan requirements; proof of ownership or authorization requirements; and proof of prequalification from the state of Michigan. B. Standards, which address location; co-location; exterior signage; hours of operation; indoor operations/no drive-thru service; prohibition of outdoor growing of marihuana; prohibition of consumption on the premises; impact on adjacent uses; odors; artificial lighting; display of permit; electrical, fire safety, plumbing, filtration, and waste disposal systems; and separation distances between marihuana businesses and other types of uses.

- Include a severability provision, providing that if any part of the zoning ordinance amendment is adjudged by a court to be invalid, the remainder of the zoning ordinance amendment shall remain valid.

- Include a savings clause, providing that the zoning ordinance amendment does not abrogate or affect any offense or act committed or done prior to the effective date of the zoning ordinance amendment.

- Provide that the zoning ordinance amendment shall take effect upon the expiration of 7 days after the publication of a notice of adoption of the zoning ordinance amendment.

The proposed zoning ordinance amendment is presently available for public viewing at the Charter Township of Alpena offices located at 4385 US-23 North, Alpena, Michigan 49707, and may also be viewed on the Township’s website, www.alpenatownship.com. The proposed ordinance will be presented to the Township Board during a regular meeting on the 25th day of April, 2022, at 6:00 p.m., and the Township Board will consider adopting the proposed zoning ordinance amendment at that time. Please call the Township Clerk at the Township offices at (989) 356-0297 for further information or assistance.

Michele Palevich
Charter Township of Alpena Clerk