

**CITY OF MILAN  
COUNTIES OF WASHTENAW AND MONROE, MICHIGAN**

**ORDINANCE NO. 2023-01**

**AN ORDINANCE TO AMEND ORDINANCE NO. 2022-07 WHICH PROVIDED FOR THE APPLICATION, LICENSING, AND REGULATION OF RECREATIONAL-USE MARIHUANA ESTABLISHMENTS AND PENALTIES FOR THE SUSPENSION AND REVOCATION THEREOF, TO AMEND ARTICLE II, SECTION 7(G) TO AUTHORIZE THE CITY CLERK’S DESIGNEE TO REVIEW APPLICATIONS AND TO REMOVE THE PLANNING COMMISSION FROM THE APPLICATION REVIEW PROCESS.**

THE CITY OF MILAN HEREBY ORDAINS:

Section 1. Amendment to Ordinance 2022-07, Article II, Licensing of Recreational-Use Marihuana Establishments, Section 7(G) Requirements and Procedures for Permits. That the Milan City Code of Ordinances, Ordinance 2022-07, Article II “Licensing of Recreational-Use Marihuana Establishments”, Section 7(G) “Requirements and Procedures for Permits”, is hereby amended to read as follows:

**Section 7. Requirements and Procedures for Permits.**

(G) Upon the closing of the period during which Applications may be submitted, the Clerk, or its designee, shall review all submitted applications to confirm which meet all of the requirements contained herein. Upon confirmation that an Application meets the requirements of this Ordinance and receipt of the appropriate Fee, and confirmation that the number of existing Permits already granted does not exceed the maximum number established by this Ordinance, the Clerk shall refer a copy of the Application to each of the following for their review and approval: the City attorney, the City treasurer, the Police Department, the Fire Department, the Building Department, and the Zoning Administrator. ~~Once an Application is verified by each department to be sufficiently complete and comprehensive, the City shall forward the Application to the Planning Commission for review and recommendation to the City Council.~~

Section 2. Public Health and Safety. This Ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the people of the City of Milan.

Section 3. Repealer. All Ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Severability. Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

Section 5. Savings Clause. The balance of the Code of Ordinances, City of Milan, Michigan, except as herein or heretofore amended, shall remain in full force and effect. The repeal provided herein will not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 6. Copies to be available. Copies of the Ordinance are available at the office of the City Clerk for inspection by, and distribution to, the public during normal office hours.

Section 7. Effective Date. As provided by Section 7-3 of the Milan City Charter, the effective date of this ordinance shall be ten (10) days after its adoption and publication of a summary thereof as required by Subsection 7-4(b) of the Milan City Charter, which summary shall read as follows:

The Milan City Council has approved Ordinance No. 2023-01, which ordinance amends the Milan City Code of Ordinances to amend Ordinance 2022-07, Article II “Licensing of Recreational-Use Marihuana Establishments”, Section 7(G) “Requirements and Procedures for Permits”, to authorize the City Clerk’s designee to review applications and to remove the Planning Commission from the application review process. Printed copies of the full text of Ordinance No. 2023-01 are available for inspection and purchase by the public at the office of the City Clerk during regular business hours, 8:00 a.m. to 4:00 p.m., Monday through Friday. Ordinance No. 2023-01 is effective ten (10) days after adoption and publication of this summary notice.

Adopted and signed this 3rd day of January, 2023.

Signed \_\_\_\_\_  
Edward Kolar, Mayor

Signed \_\_\_\_\_  
Lavonna Wenzel, City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Council of the City of Milan, Counties of Monroe and Washtenaw, State of Michigan, at a regular Meeting held on the 3rd day of January, 2023, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting: Mayor Ed Kolar, Councilmembers Dave Baldwin, Josh Kofflin, Jesse Nie, Christian Thompson, and Shannon Dare Wayne. and that the following Members were absent: Mayor Pro-Tem Mary Kerkes.

I further certify that Councilmember Baldwin moved adoption of said ordinance, and that said motion was supported by Councilmember Nie.

I further certify that the following Members voted for adoption of said ordinance:  
and that the following Members voted against adoption of said ordinance: None.

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Lavonna Wenzel, City Clerk

First reading: December 27, 2022  
Second reading: January 3, 2023  
Publication date: January 8, 2023  
Effective date: January 13, 2023

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