

**RESOLUTION/CITY OF ST. JOHNS  
MEDICAL MARIHUANA MORATORIUM**

A RESOLUTION EXTENDING TO DECEMBER 31, 2012 THE ORIGINAL MORATORIUM REGARDING THE ISSUANCE OF CITY PERMITS, LICENSES OR OTHER NEEDED APPROVALS FOR THE DISPENSATION OF MEDICAL MARIHUANA UNDER THE MICHIGAN MEDICAL MARIHUANA ACT (“MMMA”).

At a regular meeting of the City Commission of the City of St. Johns, held on November 14, 2011 in the City of St. Johns, Clinton County, commencing at 7:00 p.m.:

Present: Dana C. Beaman, Heather Hanover, Bill Jackson, Michael Nobach, David Hudgens

Absent: None

The following resolution was offered by Commissioner Jackson and supported by Commissioner Nobach.

WHEREAS the St. Johns City Commission recognizes that through voter initiative it is now legal to possess and use marijuana for medical purposes pursuant to the strict provisions of the Michigan Medical Marihuana Act (MMMA);

WHEREAS the City Commission acknowledges, as many Michigan communities have, the State of Michigan failed to initially promulgate an adequate regulatory framework following voter approval of the MMMA. Additionally, the MMMA does not comprehensively address the legality of commercial medical marihuana operations;

WHEREAS certain members of the State Legislature have recently indicated they will make the development of meaningful regulations and statutory revisions related to the MMMA a legislative priority;

WHEREAS the Michigan Court of Appeals recently has issued a published opinion ruling that medical marihuana dispensaries are not authorized by the MMMA;

WHEREAS the City Commission desires to benefit from any initiatives by the State Legislature related to the MMMA as well as any upcoming court decisions so that any local regulations or ordinances passed into law are consistent with state decisional and statutory law and regulations;

WHEREAS the City Commission asserts that a medical marihuana dispensary or comfort club in the downtown business district or a commercially zoned district is not a traditionally recognized or established use under the current City Zoning Ordinances and therefore should remain prohibited uses until the State Legislature acts;

WHEREAS the City Commission believes extending the Moratorium until December 31, 2012 will provide adequate time for the State Legislature to promulgate regulations in this area;

WHEREAS if the State Legislature acts before the end date of the Moratorium the City Commission can lift the Moratorium at any time;

WHEREAS extending the moratorium on the issuance of permits, licenses or other needed approvals for the sale/dispensation of marihuana on property within the City will not substantively affect the rights of those who can legally use and/or provide medical marihuana under the MMMA;

WHEREAS imposing such a moratorium will advance the public health, safety and welfare of City residents;

NOW, THEREFORE, BE IT RESOLVED:

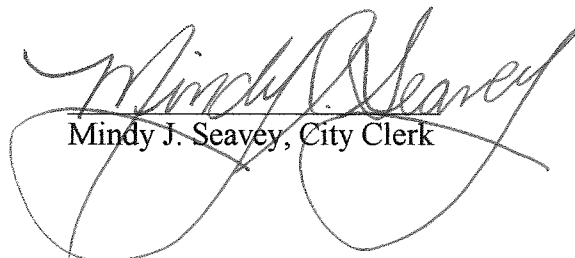
The City of St. Johns hereby extends until December 31, 2012 the medical marihuana moratorium related to the issuance of any City permit, license or other needed approval related to the sale or dispensation of medical marihuana within the geo-political boundaries of the City of St. Johns, Michigan. This moratorium extension shall be effective from January 1, 2012 to December 31, 2012.

YEAS: Beaman, Hanover, Jackson, Nobach, Hudgens

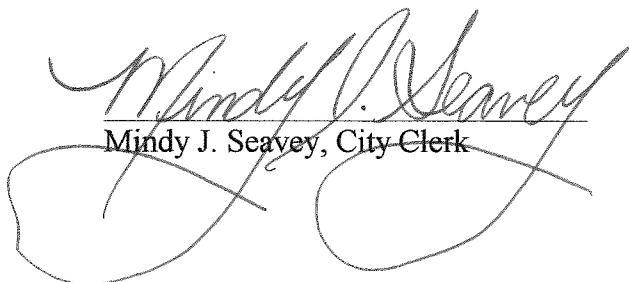
NAYS: None

Resolution declared adopted on November 14, 2011.

  
Mayor Dana C. Beaman

  
Mindy J. Seavey, City Clerk

This certifies that the foregoing is a true and complete copy of action taken by the City of St. Johns City Commission at the regular meeting held on November 14, 2011.

  
Mindy J. Seavey, City Clerk