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EFFECTIVE: July 30, 2012

AMENDMENT TO CODIFIED ORDINANCES OF  
THE CITY OF NEGAUNEE, CHAPTERS 1260, 1271, 1272, 1273, AND 1285

The City of Negaunee ORDAINS:

REPEALER

That any ordinance, resolution, order or part thereof in conflict with the provisions of this Amendment is, to the extent of such conflict, hereby repealed. This repeal shall be effective as of the effective date of the following Amendment.

AMENDMENT

That **Chapter 1260 Zoning Definitions, §1260.02 Definitions, “Greenhouse”** of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended to read as follows:

**Greenhouse:** A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal enjoyment. Also, an enclosed, locked facility used for the growing of medical marihuana pursuant to MCL 333.26421 et seq., the Michigan Medical Marihuana Act.

AMENDMENT

That **Chapter 1260 Zoning Definitions, §1260.02 Definitions** of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended to add the following section:

**Medical Marihuana Caregiver Dispensary:** A registered, primary caregiver under the Michigan Medical Marihuana Act who engages in assisting one or more patients with their medical use of marihuana, but does not engage in the growing of marihuana plants.

AMENDMENT

That **Chapter 1271, Business District (B1)** of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended to add “Medical Marihuana Caregiver Dispensary” as a Permitted Principal Use as follows:

**1271.02 PERMITTED PRINCIPAL USES.**

1. Banks and Financial Institutions
2. Barber and Beauty Shop
3. Bed and Breakfast Establishments and Bed and Breakfast Inn.
4. Bowling Alley
5. Business Service Establishment
6. Commercial Printing
7. Conference Center
8. Convenience Retail
9. Cultural Facility
10. Essential Services
11. Flea Market and Farmer's Market
12. Fuel Sales Establishment
13. Funeral Home
14. Greenhouse, Greenhouse with nursery
15. Health Care Facility, Out-patient or In-patient
16. Hotels, Motels
17. Indoor Recreational Facility
18. Laundromat
19. Library
20. Lodge Hall
- 21. Medical Marihuana Caregiver Dispensary**
22. Office Building
23. Office Parks
24. Personal Service Establishment
25. Public Buildings
26. Religious Institutions
27. Residence, Upper Floor Commercial Building
28. Restaurants with or without Drive Thru
29. Retail Food Establishment
30. Retail Outlet Store
31. Retail Sales Establishment
32. Sidewalk Café
33. Tavern
34. Theater
35. Trade or Technical Schools
36. Veterinary Clinic
37. Video Arcade
38. Wholesale Sales Establishment

**AMENDMENT**

That **Chapter 1272, Business District (B2)** of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended to add "Medical Marihuana Caregiver Dispensary" as a Permitted Principal Use as follows:

## **1272.02 PERMITTED PRINCIPAL USES.**

1. Amusement Parks, Fairgrounds, Miniature Golf Courses
2. Automobile Wash Facility
3. Automobile Sales or Showrooms, New or Used
4. Banks and Financial Institutions
5. Barber and Beauty Shop
6. Bed and Breakfast Establishment
7. Boat Livery
8. Bowling Alley
9. Building Material Sales and Storage
10. Business Service Establishment
11. Commercial Printing
12. Conference Center
13. Convenience Retail
14. Cultural Facility
15. Dry Cleaning Establishment, Laundromat
16. Essential Services
17. Flea Market, Farmer's Market
18. Fuel Sales Establishment
19. Funeral Homes
20. Golf Courses
21. Greenhouse, Greenhouse with nursery
22. Health Care Facility, In-patient or Out-patient
23. Laundromat
24. Library
25. Lodge hall
26. Medical Marihuana Caregiver Dispensary
27. Mini-storage facility
28. Motel, Hotel, Cabins and Resort
29. Office Building
30. Office Parks
31. Personal Service Establishment
31. Public Building
32. Recycling Collection Point
33. Religious Institution
34. Restaurant, with or without Drive-Thru
35. Retail Food Establishment
36. Retail Outlet Store
37. Retail Sales Establishment
38. Retail Warehouse Outlet
39. Shopping Center
40. Tavern
41. Theater
42. Trade and Technical School

43. Utility Substation
44. Vehicle Repair Garage
45. Video Arcade
46. Warehousing
47. Wholesale Establishment

#### AMENDMENT

That **Chapter 1273, Industrial District (I)** of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended to add “Medical Marihuana Caregiver Dispensary” as a Special Use as follows:

#### **1273.03 SPECIAL LAND USES AUTHORIZED BY PERMIT.**

The following uses of land and structures may be permitted in this District by application for and the issuance of a Special Land Use as provided for in Chapter 1280:

1. Asphalt Plant
2. Banks and Financial Institutions
3. Bowling Alley
4. Conference Center
5. Convenience Retail
6. Food Processing Establishment
7. Freight Handling Facility
8. Fuel Sales Establishment
9. Gravel/Sand Pit
10. Greenhouse, Greenhouse with nursery
11. Heavy Manufacturing and Assembly
- 12. Medical Marihuana Caregiver Dispensary**
13. Planned Unit Development
14. Retail Warehouse Outlet
15. Storage of Flammable Liquids or Gas Facility
16. Use, building or structure constructed or erected within the Teal Lake Overlay District (§ 1278 of these Codified Ordinances). Such proposed uses shall be evaluated pursuant to the requirements in §1280 and in the Teal Lake Overlay District.
17. Veterinary Clinic
18. Wireless Communication Facility
19. Wireless Communication Facility, Attached
20. Wireless Communication Tower
21. Woodyard

#### AMENDMENT

**Chapter 1285 Home Occupations** of the Codified Ordinances of Negaunee, Michigan, shall be, and hereby is, amended to add the following section:

- (1) Activities of a registered primary caregiver under the Michigan Medical Marihuana Act to assist with a patient's medical use of marihuana, other than growing marihuana plants for the patient, shall be considered a business and, if conducted from a residence in the R1, R2 or RR Districts, subject to this Chapter on Home Occupations.

WHEREUPON, this Ordinance is declared passed and adopted on this 19 day of July, 2012.

The above Ordinance shall be published as required by law, and shall be effective on the 30th day of July, 2012.

CITY OF NEGAUNEE

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By: Michael Haines, Its Mayor

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By: Judith Iwanski, Its Clerk