

**NEW BUFFALO TOWNSHIP  
ORDINANCE NO. 20250121**

**ORDINANCE AMENDING CHAPTER 257 OF THE TOWNSHIP CODE OF  
ORDINANCES TO PROHIBIT NEW MEDICAL MARIHUANA FACILITIES AND  
ADULT-USE MARIHUANA ESTABLISHMENTS**

**NEW BUFFALO TOWNSHIP ORDAINS:**

**Section 1. Amendment of Section 257-2.**

Section 257-2 of the Township Code of Ordinances, entitled “Authorized Facilities and Establishments” is amended to read as follows, with new text indicated in boldfaced font and deleted text indicated as stricken.

Section 257-2. Authorized Facilities and Establishments.

- (a) *Authorization and special land use permit required.* No person shall operate a medical marihuana facility or a marihuana establishment in the Township without an authorization issued by the Township pursuant to the provisions of this Ordinance and a special use permit pursuant to this Ordinance and the Township Zoning Ordinance.
- (b) *Number of and types of medical marihuana facilities and adult-use marihuana establishments eligible for authorization.* **As of the effective date of the ordinance amending this section, the Township prohibits medical marihuana facilities and adult-use marihuana establishments. This prohibition does not apply to:**
1. **Medical marihuana facilities and adult-use marihuana establishments lawfully licensed by the Township as of the effective date of the ordinance amending this section;**
  2. **Medical marihuana facilities and adult-use marihuana establishments for which a complete application was received by the Township on or before March 18, 2024, if the facility or establishment subsequently receives all required approvals under the 2023 version of this Chapter and the Township Zoning Ordinance and from LARA;**
  3. **The transfer of a license for an existing facility or establishment to a new licensee that intends to continue operating on the same parcel, subject to approval by the Township Board and LARA. The Township Board may require any information and documentation that it determines necessary to review the transfer request.**

~~(e) — The following medical marihuana facilities may be authorized to operate in the Township, subject to this Ordinance and the Township Zoning Ordinance:~~

~~(1) — Growers operating under Class A licenses, up to 500 plants (unlimited);~~

~~(2) — Growers operating under Class B licenses, up to 1,000 plants (unlimited);~~

~~(3) — Growers operating under Class C licenses, up to 1,500 plants (unlimited);~~

~~(4) — Processors (unlimited);~~

~~(5) — Secure transporters (unlimited);~~

~~(6) — Provisioning centers (unlimited); and~~

~~(7) — Safety compliance facilities (unlimited).~~

~~(d) — *Number and types of adult use marihuana establishments eligible for authorization.* The following adult use marihuana establishments may be authorized to operate in the Township, subject to this Ordinance and the Township Zoning Ordinance:~~

~~(1) — Growers operating under Class A licenses, up to 100 plants (unlimited);~~

~~(2) — Growers operating under Class B licenses, up to 500 plants (unlimited);~~

~~(3) — Growers operating under Class C licenses, up to 2,000 plants (unlimited)~~

~~(4) — Retailers (unlimited);~~

~~(5) — Processors (unlimited);~~

~~(6) — Secure transporters (unlimited);~~

~~(7) — Safety compliance establishments (unlimited);~~

~~(8) — Microbusinesses (up to 150 plants) (unlimited); and~~

~~(9) — Class A Microbusinesses (300 plants).~~

~~(e) — *Prohibited license types.*~~

~~(1) Temporary marihuana events.~~

~~(2) Designated consumption establishments.~~

~~(3) Excess marihuana growers.~~

- ~~(4) Any other medical or adult-use marijuana license type not specifically allowed above.~~
- ~~(f) *Stacked grower licenses.* Stacked grower licenses are prohibited in the Township.~~
- ~~(g) *Co-location.* Co-located facilities or establishments are permitted, subject to the following requirements:~~
- ~~1. The co-location must be approved by the State of Michigan~~
  - ~~2. A maximum of one of each license type may operate on a single parcel. By way of example and not limitation, this provision allows one adult-use grower and one adult-use retailer to be co-located on the same parcel, but it does not allow two adult-use retailers to be co-located on the same parcel. For purposes of this subsection, "parcel" means a parcel designated on the Township's assessment roll for property tax purposes, regardless of the number of street addresses assigned to the parcel or the number of buildings or units on the parcel.~~
- ~~(h) *Equivalent licenses.* Equivalent licenses are permitted in the Township subject to this Ordinance, the Zoning Ordinance, approval by LARA, and state law.~~
- ~~(i) *Final authorization from Township required.* The authorization process described in this Ordinance and the Township Zoning Ordinance determines the locations in the Township at which facilities and establishments may operate. A proposed facility or establishment is not eligible to operate until the Zoning Administrator grants final authorization and until the applicant receives a special use permit under the Township Zoning Ordinance and all required approvals and licenses from LARA.~~

**Section 2. Amendment of Section 257-3.**

Section 257-3 of the Township Code of Ordinances, entitled "Application for Authorization" is deleted in its entirety.

**Section 3. Amendment of Section 257-4.**

Section 257-4 of the Township Code of Ordinances, entitled "Relocation of Facilities or Establishments and Transfers of Licenses," is deleted in its entirety. The subsequent subsections of Chapter 257 are renumbered accordingly.

**Section 4. Effective Date.**

This Ordinance is effective 30 days after publication.

**Section 5. Repeal.**


Any ordinance inconsistent with this Ordinance shall be repealed but only to the extent necessary to give this Ordinance full force and effect.

YEAS: Board Member(s) Anderson, Hannon, Heit, Tazzetta, Males  
NAYS: Board Member(s) None  
ABSTAIN: Board Member(s) None  
ABSENT: Board Member(s) None

**CERTIFICATION**

As the Township Clerk of New Buffalo Township, Berrien County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Township Board at a regular meeting held on January 21, 2025.

Date: January 21, 2025

  
Township Supervisor

Date: January 21, 2025

  
Township Clerk

Introduced: January 21, 2025  
Adopted: January 21, 2025  
Published: January 30, 2025  
Effective: March 1, 2025