

MARSHALL CITY PLANNING COMMISSION
Wednesday, June 9, 2021 at 7:00 p.m.
City Hall Training Room, 323 W. Michigan Ave., Marshall, MI

Call to Order

Roll Call

Approval of Agenda

Regular Meeting of the Planning Commission, June 9, 2021

Approval of Minutes

Minutes from April 14, 2021

Public Comments on Agenda Items

Public Hearings

New Business

1. Schedule a Public Hearing for July 14, 2021 for a Zoning Ordinance Amendment to change Marihuana Facilities from a Principal Permitted Use to a Special Land Use.

Old Business

Public Comment on Non-Agenda Items

Reports

Adjournment

**MINUTES
MARSHALL CITY PLANNING COMMISSION
WEDNESDAY, APRIL 14, 2021**

In a regular session, Wednesday, April 14, 2021 at 7:00 p.m. via Zoom the Marshall Planning Commission was called to order by Chair Banfield.

ROLL CALL

Members Present: Chair Banfield, Commissioners Burke Smith, Davis, Hall, Reed, Zuck and C. Zuzga and Council Liaison Wolfersberger

Members Absent: Commissioner McNiff

Staff Present: Trisha Nelson, City Clerk & Planner
Eric Zuzga, Director of Special Projects

AGENDA

MOTION by Davis, supported by Zuck, to accept the agenda for the Wednesday, April 14, 2021 as submitted. On a roll call vote; ayes- Burke Smith, Banfield, Davis, Hall, Reed, Zuck, C Zuzga; nays- none; **MOTION CARRIED.**

MINUTES

MOTION by Reed, supported by Davis to accept the minutes from the February 10, 2021 regular meeting. Banfield stated that on page 2 paragraph 2 Mike Back needs to be changed to Beck. On a roll call vote; ayes- Burke Smith, Banfield, Davis, Hall, Reed, Zuck, C Zuzga; nays- none; **MOTION CARRIED.**

MOTION by Reed, supported by Zuck to accept the minutes from the February 18, 2021 special meeting. On a roll call vote; ayes- Burke Smith, Banfield, Davis, Hall, Reed, Zuck, C Zuzga; nays- none; **MOTION CARRIED.**

PUBLIC COMMENTS ON AGENDA ITEMS

None

PUBLIC HEARINGS

None

NEW BUSINESS

MOTION by Zuck, supported by C Zuzga to receive Site Plan Application #SPA21.01 for 310 West Oliver Dr, Chelsea Milling Company (Jiffy Mix).

Nelson stated that they are proposing a 15,900 sq ft addition that would add an additional loading bay. She further stated that the plan has been approved by the LDFA and that the storm water drainage plan has been approved by staff. Banfield stated that the site plan shows one additional loading door to the south. Sue

Dickinson, the consulting Engineer for Chelsea Milling, stated that it would be just to the east of the existing truck doors, and a new entrance to the building will be on the east.

On a roll call vote; ayes- Burke Smith, Banfield, Davis, Hall, Reed, Zuck, C Zuzga; nays- none; **MOTION CARRIED.**

MOTION by Zuck, supported by C Zuzga to approve Site Plan Application #SPA21.01 for 310 West Oliver Dr, Chelsea Milling Company (Jiffy Mix).

Banfield stated that the City doesn't allow loading doors on the front of the building, but the Planning Commission can make an exception depending on the conditions. C Zuzga stated that she would make a friendly amendment to allow for them to have a front yard loading dock. Zuck stated that 80-90% of the buildings in the Old Brooks Industrial Park have front yard loading docks, so it fits the area.

On a roll call vote; ayes- Burke Smith, Banfield, Davis, Hall, Reed, Zuck, C Zuzga; nays- none; **MOTION CARRIED.**

MOTION by Reed, supported by C Zuzga to receive Site Plan amendment #SPA21.02 for Oaklawn Hospital, 200 N Madison.

Nelson stated that they would like to do a 700 sq ft addition to the ER to accommodate changes mandated by the state.

On a roll call vote; ayes- Burke Smith, Banfield, Davis, Hall, Reed, Zuck, C Zuzga; nays- none; **MOTION CARRIED.**

MOTION by Reed, supported by Zuck to approve Site Plan amendment #SPA21.02 for Oaklawn Hospital, 200 N Madison.

Joanna Tarkiewicz, Oaklawn Hospital, state that the last time the ER was renovated was in 2005 right at Albion's hospital was closed, and that things have changed since it was built including more codes that must be followed per the state. The addition would increase the number of mental health rooms from 1 to 4 and also add an additional Tier 1 trauma room. She further stated it would allow for a decontamination room with a special tank to contain the water, and allow for isolation rooms which are not currently available. This addition would also separate the ambulance traffic from the pedestrian traffic to increase safety, and that state code also requires a grade level entrance with a canopy for the ER, opposed to the current entrance with a grade difference.

Wolfersberger questioned if the air space regulation had been figured out by the City Attorney. Nelson stated that originally it was going to be an easement, but it has been decided to make it a license agreement instead. Nelson further stated that the overhang of the entrance will be over the City right of way not the street, so it would not impact truck traffic and no one should catch on it. Banfield questioned if the design would be similar to the glass canopy on the Madison side. Tarkiewicz stated that the beams would run differently for structural reasons, but the appearance would be similar. Banfield questioned if the license agreement dictated how far into the ROW was allowed. Nelson stated that it would and that they are working with the hospital to agree on a distance. Tarkiewicz stated that the current design appears to be about 5 feet off the property line, but if they were given a dimension to that they need to follow, they could give to the engineers and make it work.

Banfield questioned if there would still be sidewalk. Tarkiewicz stated that the sidewalk would run between the drop off lane and the building and that there would be bollards with lights to separate the pedestrians

from the vehicles. She further stated that it would be a drop off lane only and that parking would not be permitted. Banfield questioned how much room it left for pedestrian flow. Tarkiewicz stated that the minimum requirement is 5 feet as it needs to be wide enough to fit a gurney if needed.

Banfield stated that he was concerned that there was no distance from the bottom of the canopy beams to the ground listed on the plans. Tarkiewicz stated that the designer allows for a 15 foot clearance. Banfield stated that if a truck were to go down the road at the curb, that there may be an issue. Tarkiewicz stated that they wouldn't be any closer to the road than 5 feet for safety reasons. Banfield questioned if the approval should be contingent on a license agreement. Nelson stated that it should be and that it would be presented to council at the second meeting in May.

MOTION by Reed, supported by Zuck to approve Site Plan amendment #SPA21.02 for Oaklawn Hospital, 200 N Madison with the following conditions:

- 1) The canopy would be 5 ft from the curb.
- 2) The City and the petitioner come to an agreement for the airspace above the right of way.

On a roll call vote; ayes- Burke Smith, Banfield, Davis, Hall, Reed, Zuck, C Zuzga; nays- none; **MOTION CARRIED.**

OLD BUSINESS

None

PUBLIC COMMENTS NOT ON AGENDA

None

REPORTS

Wolfersberger stated that council has been dealing with electric rates and are hoping to have their strategic planning meeting in June. He further stated that there are 4 new houses coming in on the North Side in addition to what's coming in on the south side of town.

Banfield stated that he had a comment from a resident out at Stuart Lake that there is a constant smell of marijuana. E Zuzga stated that they have been in talks with MPM and they have been running tests on different odor mitigation systems. Their first plan wasn't successful, but their second appears to be. He further stated that while they aren't actively looking for odor, if there is a complaint, they are taking it seriously and there is a caregiver operation out there that could be contributing to the smell. Banfield stated that the hospital was required to create a committee to determine what will be happening with some houses within the hospital district. He stated he was asked to be on the board, but after the first meeting he stepped down feeling it would be a conflict of interest with the Planning Commission. Wolfersberger stated that he had many questions on the agreement that came before council, including why the board wasn't created when the overlay district was created and why the city council or commissions can't know what their advisory board discusses.

ADJOURN

Planning Commission adjourned at 8:05 p.m.

Submitted by,
Michelle Eubank

MARSHALL PLANNING COMMISSION

Staff report for June 9, 2021

To: Planning Commissioners
From: Trisha Nelson, Planning and Zoning Administrator
Subject: Zoning Ordinance Amendment to change Marihuana facilities as a Principal Permitted Use to a Special Land Use.

City staff has been working with Attorney Revore regarding some changes to our Marihuana ordinances.

Attached is the proposed Zoning Ordinance Amendment which will change approved Medical and Commercial Marihuana facilities from a Principal Permitted Use to a Special Land Use. The City feels strongly that having these facilities as a Special Land Use gives us more control in the regulation of such businesses.

Also, attached, for your information, you will find **EXHIBIT A**, which is a copy of proposed ordinance revisions for our General Law Ordinances for Medical Marihuana and Commercial Marihuana.

Planning Commission is being asked to schedule a public hearing for Wednesday, July 14, 2021 to hear public comment on the Zoning Ordinance Amendments to change Marihuana facilities from a Principal Permitted Use to a Special Land Use.

**CITY OF MARSHALL
CALHOUN COUNTY, MICHIGAN**

ORDINANCE #2021-___

PREAMBLE

AN ORDINANCE TO AMEND THE CITY OF MARSHALL ZONING CODE, ARTICLE 3.0, ZONING DISTRICTS, SECTION 3.1.12 OF THE "I-1 RESEARCH AND TECHNICAL DISTRICT" AND SECTION 3.1.13 OF THE "I-2 GENERAL INDUSTRIAL DISTRICT"; TO REQUIRE MARIHUANA FACILITIES AND MARIHUANA ESTABLISHMENTS GROWER, PROCESSOR AND SAFETY COMPLIANCE FACILITY BE A SPECIAL LAND USE SUBJECT TO THE ZONING CODE, ARTICLE 6.0 DEVELOPMENT PROCEDURES, SECTION 6.2 SPECIAL LAND USES AND SECTION 6.3 SITE PLAN REVIEW; REPEAL ANY ORDINANCES IN CONFLICT THEREOF; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

THE CITY OF MARSHALL, CALHOUN COUNTY, HEREBY ORDAINS:

Section 1. PURPOSE. The purpose of this Ordinance is to amend the City Zoning Code to require Grower, Processor and Safety Compliance Facility licensed under City ordinances and the Medical Marihuana Facilities Licensing Act (MMFLA), PA 281 of 2016, and the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 (MRTMA), be subject to Zoning Code, Article 3.0 as a special land use and 6.0 Development Procedures, Section 6.2 Special Land Uses and Section 6.3 Site Plan Review.

It is the intent of these provisions to ensure the health, safety and welfare of the citizens of Marshall that quality of life is not impaired, neighborhood character is preserved, commercial activities developed and increased, employment opportunities expanded, and positive planned land use developed.

Section 2. That Chapter 3.0 ZONING DISTRICTS, SECTION 3.1.12 I-1 OF THE RESEARCH AND TECHNICAL DISTRICT of the Marshall City Zoning Code, is hereby amended as follows:

B. Principal Permitted USES (continued)

~~xxiii. Any use allowed in such district as provided in the City Medical Marihuana Ordinance~~

C. Special Land Use

xvii. Marihuana Grower, Marihuana Processor, and Safety Compliance Facility under the City Medical Marihuana Ordinance and the Medical Marihuana Facilities Licensing Act (MMFLA), PA 281 of 2016, are a special land use subject to Article 6.0, Sections 6.2 and 6.3.

xviii. Marihuana Grower, Marihuana Processor, and Safety Compliance Facility under the City Commercial Marihuana Ordinance and the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 (MRTMA), are a special land use subject to Article 6.0, Sections 6.2 and 6.3.

Section 3. That **Chapter 3.0 ZONING DISTRICTS, SECTION 3.1.13 I-1 OF THE "I-2 GENERAL INDUSTRIAL DISTRICT** of the Marshall City Zoning Code, is hereby amended as follows:

B. Principal Permitted USES (continued)

~~xxiii. Any use allowed in such district as provided in the City Medical Marihuana Ordinance~~

C. Special Land Use

xxii. Marihuana Grower, Marihuana Processor, and Safety Compliance Facility under the City Medical Marihuana Ordinance and the Medical Marihuana Facilities Licensing Act (MMFLA), PA 281 of 2016, are a special land use subject to Article 6.0, Sections 6.2 and 6.3.

xxiii. Marihuana Grower, Marihuana Processor, and Safety Compliance Facility under the City Commercial Marihuana Ordinance and the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 (MRTMA), are a special land use subject to Article 6.0, Sections 6.2 and 6.3.

Section 4. That Ordinance #2017-05, Sections Grower, Processor and Safety Compliance Facility, are hereby amended to require Grower, Processor and Safety Compliance facility be subject to special land use in the following zoning districts: I-1 and I-2 and subject to 6.0 Development Procedures, Section 6.2 Special Land Uses and Section 6.3 Site Plan Review.

Section 5. That under Ordinance No. 2019-06 section LOCATION AND ELIGIBILITY, subsection (D)(1)(a) and (f)(7) Marihuana Grower License, shall be amended from a permitted use to a special land use subject to the Zoning Code § 3.19-20 and Article 6.0, sections 6.2 and 6.3.

Section 6. That under Ordinance No. 2019-06 section LOCATION AND ELIGIBILITY, subsection (D)(2)(a) Marihuana Processor License, shall be amended from a permitted use to a special land use subject to the Zoning Code § 3.19-20 and Article 6.0, sections 6.2 and 6.3.

Section 7. That Ordinance No. 2019-06 section LOCATION AND ELIGIBILITY, subsection (D)(4)(a) Marihuana Safety Compliance Facility License, shall be amended from a permitted use to a special land use subject to the Zoning Code § 3.19-20 and Article 6.0, sections 6.2 and 6.3.

Section 8. That the editors of the Marshall Zoning Code are hereby authorized to update and revise the Zoning Ordinance and its Code to effectuate the provisions of this Ordinance.

Section 9. Severability. It is the legislative intent of the City adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety and general welfare of the inhabitants of the City and all other persons affected by this Ordinance. Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance or Zoning Code, it being the intent of the City Council that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof.

Section 10. Conflicting Ordinance and Code Provisions Repealed. Any City of Marshall Ordinance, parts of Ordinances, or any Marshall Code provision in conflict or inconsistent with any of the provisions of this Ordinance shall be and is hereby repealed.

Section 11. This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Advisor*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

Section 12. This Ordinance is declared to be effective seven (7) days after publication or as provided by law.

Adopted and signed this _____ day of _____, 2021.

Joe Caron, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on _____, 2021, 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 by said Act.

Trisha Nelson, CITY CLERK

Exhibit A

CITY OF MARSHALL
CALHOUN COUNTY, MICHIGAN

ORDINANCE #2021-___

PREAMBLE

AN ORDINANCE TO AMEND THE CITY OF MARSHALL MEDICAL MARIHUANA FACILITIES LICENSING ACT (MMFLA), ORDINANCE No. 2017-06, AND COMMERCIAL MARIHUANA (MRTMA) ORDINANCE NO. 2019-06, TO ALLOW FOR REDUCED SITE DISTANCES FOR CERTAIN SIZE BUILDING FACILITIES, AND REASONABLE ODOR MITIGATION; TO REQUIRE ALL MARIHUANA FACILITIES AND MARIHUANA ESTABLISHMENTS BE SUBJECT TO THE ZONING CODE, ARTICLE 6.0 DEVELOPMENT PROCEDURES, SECTION 6.2 SPECIAL LAND USES AND SECTION 6.3 SITE PLAN REVIEW; REPEAL ANY ORDINANCES IN CONFLICT THEREOF; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

THE CITY OF MARSHALL, CALHOUN COUNTY, HEREBY ORDAINS:

Section 1. PURPOSE. The purpose of this Ordinance is to amend City ordinances to allow for site distance reduction for certain large size marihuana grower and processor buildings and facilities from other marihuana grower and processor buildings and facilities, and for reasonable odor mitigation, and to require all commercial marihuana facilities licensed under City ordinances and the Medical Marihuana Facilities Licensing Act (MMFLA), PA 281 of 2016, and the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 (MRTMA), be subject to the Marshall Zoning Code, Article 6.0 Development Procedures, Section 6.2 Special Land Uses and Section 6.3 Site Plan Review.

It is the intent of these provisions to provide for the health, safety and welfare of the citizens of Marshall that quality of life is not impaired, neighborhood character is preserved, commercial activities developed and increased, employment opportunities expanded, and positive planned land use developed.

Section 2. That Ordinance # 2017-06, Section Grower subsection (2) is hereby amended to the following:

The facility must not be within 2,640-foot of another grow or processing facility, **except as follows:**

100,000 square foot or larger building with at least 12 total acres are not restricted as to site distances from another marihuana grow or processing facility.

Section 3. That Ordinance # 2017-06, Section Processor subsection (3) is hereby amended to the following:

The facility must not be within 2,640-foot of another grow or processing facility **excepts as follows:**

100,000 square foot or larger building with at least 12 total acres are not restricted as to site distances from another marihuana grow or processing facility.

Section 4. That Ordinance No. 2019-06 section LOCATION AND ELIGIBILITY, subsection (D)(1)(a) and (f)(7) Marihuana Grower License, shall be amended as follows:

(1) Marihuana Grower License:

a. The location at which a grower establishment cultivates marihuana is a ~~permitted~~ **special land** use in the following zoning districts: I-1 and I-2, as provided by and subject to the requirements of this Ordinance and the Zoning Ordinance **Code § 3.19-20 and Article 6.0, sections 6.2 and 6.3.** The City will restrict locations and entity but shall not restrict number of licenses managed by that entity. Grower establishment, as measured from the property lot line, shall not be within 2,640 feet of another grow establishment or processing establishment licensed under the MRTMA, or grow or processing facility licensed under the MMFLA, **except 100,000 square foot or larger marihuana grow or process building facilities with at least 12 total acres are not restricted as to site distances from another grow or processing facility.**

f. A Grower shall comply with all of the provisions of the MRTMA and shall:

7) A marihuana establishment shall be ventilated so that the **unreasonable** odor of marihuana cannot be detected by a person with a normal sense of smell at the exterior of the marihuana establishment property line or at any adjoining use or property. Odor must be managed at the establishment site and by the installation of an operable filtration to ventilation and exhaust equipment and odors must otherwise be effectively confined to the interior of the building or dwelling from which the odor is generated.

Section 5. That Ordinance No. 2019-06 section LOCATION AND ELIGIBILITY, subsection (D)(2)(a) Marihuana Processor License, shall be amended as follows:

(2) Marihuana Processor License:

a. The location at which a Processor establishment extracts resin from the marihuana or creates a marihuana-infused product is a ~~permitted~~ **special land**

use in the following zoning districts: I-1 and I-2, as provided by and subject to the requirements of this Ordinance and the Zoning Ordinance **Code § 3.19-20 and Article 6.0, sections 6.2 and 6.3**. The City will restrict locations and only one Marihuana Processor establishment license shall be permitted per parcel or lot. Processor establishment, as measured from the property lot line, shall not be within 2,640 feet of another grow establishment or processing establishment licensed under the MRTMA, or grow or processing facility licensed under the MMFLA, **except 100,000 square foot or larger grower or processor buildings with at least 12 total acres are not restricted as to site distances from another marihuana grow or processing facility.**

Section 6. That Ordinance No. 2019-06 section LOCATION AND ELIGIBILITY, subsection (D)(4)(a) Marihuana Processor License, shall be amended as follows:

(4) Marihuana Safety Compliance Facility License:

a. The location at which a safety compliance facility tests marihuana and marihuana-infused products is a ~~permitted~~ **special land** use in the following zoning districts: I-1 and I-2, as provided by and subject to the requirements of **this Ordinance and the Zoning Code § 3.19-20 and Article 6.0, sections 6.2 and 6.3**. The City will allow up to a total of two (2) state-approved and licensed safety compliance facilities in zoning districts: I-1 and I-2, combined.

Section 7. That Ordinance No. 2019-06 section GENERAL LICENSE APPLICATION REQUIREMENTS, subsection (B)(8)(e), shall be amended as follows:

e. A plan for ventilation of the marihuana establishment that describes the ventilation systems that will be used to prevent any **unreasonable** odor of marihuana off the premises of the business. For marihuana establishments that grow marihuana plants, such plan shall also include all ventilation systems used to control the environment for the plants and describe how such systems operate with the systems preventing any **unreasonable** odors from leaving the premises. For marihuana businesses that produce marihuana-infused products, such plan shall also include all ventilation systems used to mitigate noxious gases or other fumes used or created as part of the production process.

Section 8. That Ordinance No. 2019-06 section VISIBILITY OF ACTIVITIES; CONTROL OF EMISSIONS subsection (C), shall be amended as follows:

(C) Sufficient measures and means of preventing smoke, **unreasonable** odors, debris, dust, fluids and other substances from exiting a marihuana establishment and commercial entity must be provided at all times. In the event that any **unreasonable** odors, debris, dust, fluids or other substances exit a

marihuana establishment and/or commercial entity, the owner of the subject premises and the licensee shall be jointly and severally liable for such conditions and shall be responsible for immediate, full clean-up and correction of such condition. The licensee shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, state and local laws and regulations.

Section 9. That Ordinance No. 2019-06 section **MARIHUANA CULTIVATION** subsection (D), shall be amended as follows:

(D) No marihuana cultivation activity shall result in the emission of any gas, vapors, **unreasonable** odor, smoke, dust, heat or glare that is noticeable at or beyond the property line of the dwelling at which the cultivation occurs. Sufficient measures and means of preventing the escape of such substances from a dwelling must be provided at all times. In the event that any gas, vapors, **unreasonable** odor, smoke, dust, heat or glare or other substances exit a dwelling, the owner of the subject premises shall be liable for such conditions and shall be responsible for immediate, full clean-up and correction of such condition. The owner shall properly dispose of all such materials, items and other substances in a safe, sanitary and secure manner and in accordance with all applicable federal, state and local laws and regulations. In the event there is a lessee of the subject premises, the owner and the lessee shall be jointly and severally liable for such conditions.

Section 10. That Ordinance No. 2019-06 section **ODOR CONTROL** subsections (A) and (C), shall be amended as follows:

(A) No person, tenant, occupant, or property owner shall permit the emission of marihuana odor from any source to result in ~~detectable~~ **unreasonable** odors that leave the premises upon which they originated and interfere with the reasonable and comfortable use and enjoyment of another's property.

(B) Whether or not a marihuana odor emission interferes with the reasonable and comfortable use and enjoyment of a property shall be measured against the objective standards of a reasonable person of normal sensitivity.

(C) A grower or a processor shall install and maintain in operable condition a system which precludes the emission of **unreasonable** marihuana odor from the premises

Section 11. Severability. It is the legislative intent of the City adopting this Ordinance that all provisions hereof shall be liberally construed to protect the public health, safety and general welfare of the inhabitants of the City and all other persons affected by this Ordinance.

Consequently, should any provision of this Ordinance be held to be unconstitutional, invalid or of no effect, such holding shall not be construed as affecting the validity of any of the remaining provisions of this Ordinance or Zoning Code, it being the intent of the City Council that this Ordinance shall stand and remain in effect, notwithstanding the invalidity of any provision hereof.

Section 12. Conflicting Ordinance and Code Provisions Repealed. Any City of Marshall Ordinance, parts of Ordinances, or any Marshall Code provision in conflict or inconsistent with any of the provisions of this Ordinance shall be and is hereby repealed.

Section 13. This Ordinance [or a summary thereof as permitted by MCL 125.3401] shall be published in the *Marshall Advisor*, a newspaper of general circulation in the City of Marshall qualified under state law to publish legal notices. This Ordinance shall be recorded in the Ordinance Book and such recording shall be authenticated by the signatures of the Mayor and the City Clerk.

Section 14. This Ordinance is declared to be effective seven (7) days after publication or as provided by law.

Adopted and signed this _____ day of _____, 2021.

Joe Caron, MAYOR

Trisha Nelson, CITY CLERK

I, Trisha Nelson, being duly sworn as the City Clerk for the City of Marshall, hereby certify that the foregoing is a true and complete copy of an ordinance approved by the City Council, City of Marshall, County of Calhoun, State of Michigan, at a regular meeting held on _____, 2021, 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 by said Act.

Trisha Nelson, CITY CLERK