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STAFF

By: Ryan J. Stanton  
AnnArbor.com Staff

# WITH POLL: Protesters change tune, applaud Ann Arbor City Council for revisions to medical marijuana ordinance

Posted: Jan 4, 2011 at 6:02 AM [Today]

Florists

- 1) Sandi Smith
- 2) Sabra Breene

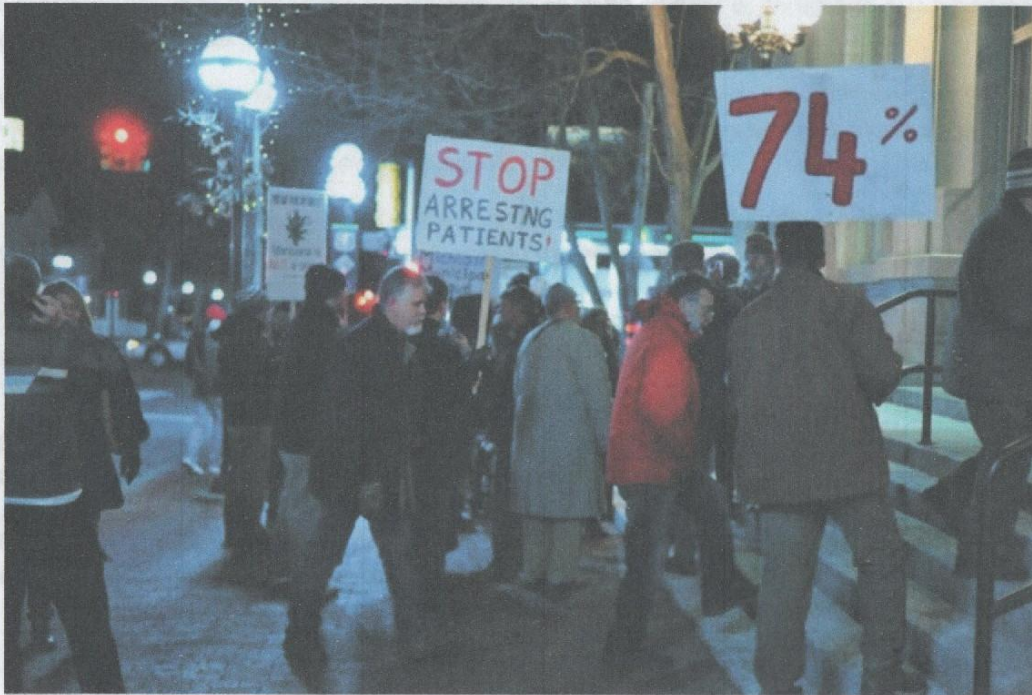
Tom Thompson 665.4222  
Flowers  
on main st

Nielsens 9946113

Dozens of medical marijuana advocates protested... before Monday night's Ann Arbor City Council meeting...

Marching up and down the sidewalk along Main Street, they chanted and carried signs with phrases like "Marijuana is NOT a crime!" and "Stop arresting patients"

Several of those who protested -- including dispensary owners, patients and advocates from throughout Michigan -- also spoke before the council at the start of the meeting. Among their fears was that the



Organizers estimated more than 40 medical marijuana advocates participated in the protest in advance of Monday night's Ann Arbor City Council meeting. The protesters ultimately were pleased with changes council members made to a medical marijuana licensing ordinance, which comes back for consideration on Jan. 18.

Ryan J. Stanton | AnnArbor.com

Dozens of medical marijuana advocates [protested downtown](#) before Monday night's **Ann Arbor City Council** meeting, decrying the city's proposed licensing regulations for the pot industry.

Marching up and down the sidewalk along Main Street, they chanted and carried signs with phrases like "Marijuana is NOT a crime!" and "Stop arresting patients!"

Several of those who protested — including dispensary owners, patients and advocates from throughout Michigan — also spoke before the council at the start of the meeting. Among their fears was that the

city's proposed licensing rules would require their names to be on a list of caregivers and patients that could end up in the hands of federal agents.

"I don't want to have to join a registry with your city," said **Brandy Zink** of the [Michigan Chapter of Americans for Safe Access](#), a pro-medical marijuana organization. She said she's a cancer survivor and epilepsy patient and frequently visits dispensaries in Ann Arbor.

Over the course of two hours, council members debated and carefully reworded the controversial licensing ordinance in a way that appeared to please the pro-cannabis crowd.

Despite making several changes, the council held off on voting on the reworked version. At the urging of Mayor **John Hieftje**, council members postponed the vote until Jan. 18, giving the city attorney's office a chance to fine-tune it some more.

If it passes on Jan. 18, a second reading and final approval likely will follow in February. The council also is expected to vote on medical marijuana zoning regulations by then.

Council Members **Sabra Briere** and **Sandi Smith**, both 1st Ward Democrats, offered up a series of amendments to the ordinance, which had been drafted by the city attorney's office.

The changes included eliminating licensing mandates for home grow operations. The council voted 6-4 to ensure the ordinance applies only to dispensaries and cultivation facilities.

The audience burst into applause at one point, causing Hieftje to remark: "We don't have interjection from the audience during the body of our meeting."

Joining Briere and Smith in exempting so-called "home occupations" from licensing was Hieftje and Council Members **Christopher Taylor**, **Stephen Kunselman** and **Margie Teall**.

That's not to say home occupations shouldn't be otherwise regulated, Briere said. Permits should have to be pulled for any electrical or plumbing or other work done. They also have to adhere to the city's zoning ordinances and nuisance laws.

In another change to the ordinance, council members had second thoughts about limiting the number of dispensaries and cultivation facilities in the city to 15. After a lengthy debate, the council voted 8-2 in favor of setting what appears to be a higher limit.

Only Higgins and Rapundalo objected.

The council decided that, for the next year, licenses should be capped at a number that is 10 percent higher than the total number of dispensaries and cultivation facilities currently operating in the city. But that can't exceed 20 dispensaries and 10 cultivation facilities.

Those who opposed the move were **Tony Derezinski, Stephen Rapundalo, Marcia Higgins** and **Carsten Hohnke**. Council Member **Mike Anglin** was absent.

Medical marijuana advocate **Chuck Ream**, who organized the protest before Monday's meeting, applauded the council for the changes — particularly for backing away from what he considered intrusive regulations for home grow operations.

"That was truly the key ... because they didn't have any right to mess with home occupations and individual caregivers and patients," he said. "They simply can't go into people's homes — who are regular caregivers and patients, who are fully regulated by the state — and add additional requirements for zoning compliance permits and inspections."

Briere agreed the biggest change made Monday night was removing home occupations from the licensing ordinance. She said it seemed the city had good intentions in seeking a list of names and addresses of licensed houses so the police would know where not to go looking for drugs, but the state law on medical marijuana discourages developing such lists.

That's not to say home occupations shouldn't be otherwise regulated, Briere said. Permits should have to be pulled for any electrical or plumbing or other work done. They also have to adhere to the city's zoning ordinances and nuisance laws.

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Council Member Christopher Taylor, D-3rd Ward, seeks the advice of City Attorney Stephen Postema during Monday's meeting.

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