

FOR IMMEDIATE RELEASE
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Warren Mayor Jim Fouts Vetoes 2nd Medical Marijuana Action by the Warren City Council In September

“A Mockery of the Legislative Process”

Warren, MI – Warren Mayor Jim Fouts has vetoed another action taken related to medical marijuana by the Warren City Council on September 25.

In his veto message, Fouts called the City Council action “a mockery of the legislative process.”

Fouts also vetoed several actions taken by the city council on September 11. The mayor said City Council “is bypassing the normal ordinance amendment process by ignoring needed reviews by the city attorney’s office, the city planning commission, building inspections division and the mayor’s office.”

“No city council member or members are above following mandated reviews,” said Fouts. “It’s part of the checks and balances in our system of government.”

In his veto, Fouts cited his reasons:

“This ordinance was added to the agenda at the last minute without prior notice or an opportunity to be reviewed by council members and the City Attorney’s Office. To be added to the agenda at the last moment, without an opportunity for review and deliberation, is not an example of good government. In my view, it makes a mockery of the legislative process. To legislate in this manner is unprecedented and highly unusual.”

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“This ordinance is labeled as a second reading, when in fact, it is a first reading. However, since it was approved as a second reading, it would be an improperly-enacted ordinance.”

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“The ordinance includes matters that should have been referred to the planning commission. That step was bypassed. While it is true, the planning commission considered previous proposals, those proposals were incorporated in a previous ordinance which I vetoed, and the veto was sustained.”

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“There has not been any public input in the ordinance.”

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“The ordinance was not drafted or reviewed by the City Attorney as required by City Charter 7.10(a)(4).”

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“These ordinance amendments are inconsistent, confusing, and arbitrary making enforcement impossible and expensive legal challenges inevitable. For example, the ordinance arbitrarily and inconsistently uses 500, 505, and 510 feet to describe incompatible use measurements.”

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“This ordinance includes substantially different language from what the planning commission has reviewed, held public hearings, and voted on in past proposed amendments, without an opportunity for public comment.”

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“The measurement section in the ordinance has been changed to include a section using the Liquor Control Commission system of measurement.”

Finally, Fouts warned the council that “the legislative process should be conducted with transparency and not in the atmosphere of confusion.”