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May 24, 2012

VIA E-MAIL

Mr. Ed Anzek, Director
Planning Department
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Re: *Medical Marihuana*

Dear Mr. Anzek:

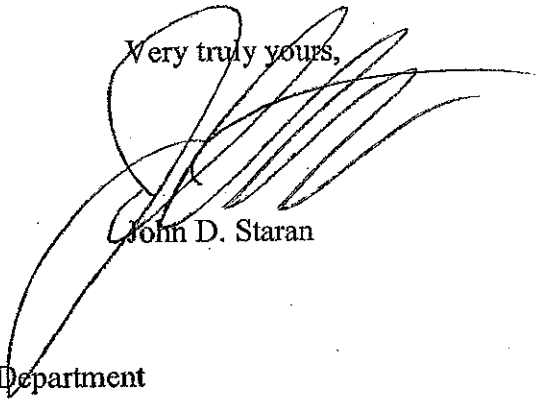
The moratorium adopted by the City Council regarding medical marihuana land uses is due to expire on June 20. The purpose of the moratorium was to allow the Planning Commission more time to study and analyze the City's three basic regulatory options (i.e. do nothing, prohibit or regulate) concerning medical marihuana land uses and to allow the state law to settle further, in view of various court cases and bills introduced in the state legislature. There are a number of circuit court decisions interpreting the Michigan Medical Marihuana Act that are winding their way through the appeals process, and it remains uncertain whether and how the state legislature will amend or clarify the Michigan Medical Marihuana Act. The Michigan Attorney General has taken a strong stance against medical marihuana sales and dispensaries, and U.S. Attorneys Offices in several states have issued letters suggesting a possibly more aggressive stance by the federal government in enforcing the federal Controlled Substances Act even in states that have adopted medical marihuana laws.

I recommend that extending the current moratorium to maintain the status quo pending further study and possible adoption of regulations is the appropriate approach for the City. It is unusual to adopt or extend lengthy moratoria, but I think under these exceptional circumstances it is the best course of action. Consequently, I would ask the Planning Commission and City Council to consider adopting a further resolution that would extend the moratorium for another year. To be clear, the current moratorium and proposed extension do not allow medical marihuana land uses to be established in the City, but do not prohibit a qualifying patient's personal use of medical marihuana in his/her private residence in accordance with the MMMA. This, I believe, strikes a balance for the City that will not interfere with a qualifying patient's use of marihuana for medicinal purposes within the confines of his/her home, but will continue to

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disallow medical marihuana-related land uses such as grow operations, dispensaries and compassion clubs in the City.

Very truly yours,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

John D. Staran

JDS/ijd
Enclosure

cc: Mr. Jim Breuckman, Planning Department
Mayor Bryan Barnett