



**CITY OF YPSILANTI
NOTICE OF ADOPTED ORDINANCE
Ordinance No. 1353**

**ORDINANCE TO AMEND CHAPTER 8 ADULT USE-RECREATIONAL
MARIHUANA TO DEFINE SAFETY-SENSITIVE JOB AND LIMIT NO-
DRUG TESTING TO MARIHUANA**

An ordinance to amend Chapter 8, Adult Use – Recreational Marihuana of the Ypsilanti City Code by 1. adding Section 8-1 (s) of the Ypsilanti City Code to define safety sensitive job, and

2. To limit the no-drug testing to marihuana in Section 8-5.4, and

1. THE CITY OF YPSILANTI HEREBY ORDAINS that Chapter 8, Section 8-1 et seq. of the Ypsilanti City Code, be amended to add sub-section (s) Safety-sensitive job to read as follow:

(s) "Safety-sensitive job" means a job that includes a higher safety risk, including but not limited to police officer, dispatcher, firefighter, emergency medical personnel, a job that includes operating an automobile or other vehicle or airplane on the job, operating any heavy equipment such as truck, tractor, front end loader, chipper, snow plow, chain saw, high-lift, or any job that involves the construction trades.

2. THE CITY OF YPSILANTI HEREBY ORDAINS that Chapter 8, Section 8-5-4 of the Ypsilanti City Code be amended to read as follows:

(4) The City of Ypsilanti will not drug-test workers for marihuana who are not in safety-sensitive jobs, without reasonable documented cause: random drug-testing is prohibited.

Severability

If any clause, sentence, section, paragraph, or part of this ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the

clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not been included in this Ordinance.

Repeal

All other Ordinances inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

Savings Clause

The balance of the Code of Ordinances, City of Ypsilanti, Michigan, except as herein or previously amended, shall remain in full force and effect. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Copies to be available.

Copies to be available. Copies of the Ordinance are available at the office of the city clerk for inspection by, and distribution to the public during normal office hours. A complete copy of the ordinance is also available for inspection on the City's website, www.cityofypsilanti.com.

Publication and Effective Date

The City Clerk shall cause this Ordinance, or a summary of this Ordinance, to be published by printing the same in the publication of record. This Ordinance shall become effective after publication at the expiration of 30 days after adoption.

MADE, PASSED AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS 14th DAY OF JANUARY, 2020.

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. 1353 was published in The Washtenaw Legal News on the 23rd day of January, 2020.

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the 14th day of January, 2020.

Andrew Hellenga, City Clerk

Notice Published: November 12, 2019

First Reading: November 19, 2019

Second Reading: January 14, 2020

Published: January 23, 2020

Effective Date: February 13, 2020