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# Lawsuit in Bloomfield may help define marijuana ordinance

Published: Tuesday, January 11, 2011

The Web The Oakland Press



By MIKE SCOTT  
Special to The Oakland Press

Pending litigation against Bloomfield Township for its existing marijuana ordinance could set a precedent for how such ordinances are formed in the future.

In October, the township finalized the language of an ordinance that requires residents with medical marijuana cards to register with the township.

The ordinance covers people with state-issued cards to use or to grow marijuana for medicinal purposes. That language was added to the ordinance to increase the safety of residents and public safety officials, township officials say.

However attorneys representing two residents believe it is an invasion of privacy.

That ordinance language is illegal, says attorney Thomas Loeb, managing partner of his own Farmington Hills law firm. Loeb and Southfield attorney Neil Rookind are suing Bloomfield Township on behalf of two anonymous clients who Loeb says do have state approval to use and/or grow medicinal marijuana.

"The state law gives my client the (certified right) to use it," Loeb said. "There are many issues with this ordinance, but the very root of our concern is that it could prevent my client from using their medicine without fear of (arrest)."

The Bloomfield Township ordinance is the only one in the state that takes such "drastic" steps to "infringe upon the rights of residents," Loeb said.

Municipalities around the area have handled the issue in different ways. Some have set moratoriums for further ordinance decisions, while Livonia, Birmingham, Bloomfield Hills and others have created ordinance language to ban anything not made legal by the state law.

The Michigan Medical Marijuana Act, voted into law by state residents in November 2008, gives confidentiality to state-approved patients, growers and caregivers, according to the Michigan Department of Community Health.

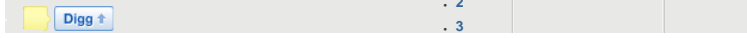
But the ordinance that requires any residents with such approval to register with Bloomfield Township shouldn't impact that state law because it is a public safety issue, said Bloomfield Township Supervisor Dave Payne. **Continued...**

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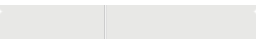
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