

TOWNSHIP OF MARION
COUNTY OF LIVINGSTON, STATE OF MICHIGAN
ORDINANCE NO. #G 03-19
ADOPTED: March 14, 2019
EFFECTIVE: April 24, 2019

PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS
ORDINANCE

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Marion Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

THE TOWNSHIP OF MARION
LIVINGSTON COUNTY, MICHIGAN

ORDAINS:

SECTION I
TITLE

This ordinance shall be known as and may be cited as the Marion Township Prohibition of Recreational Marihuana Establishments Ordinance.

SECTION II
DEFINITIONS

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

SECTION III
NO MARIHUANA ESTABLISHMENTS

Marion Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

SECTION IV
VIOLATIONS AND PENALTIES

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes, allows, or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.

2. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction.

3. Each day during which any violation continues shall be deemed a separate offense.

4. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

5. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person(s) as designated by the Township Board from time to time.

SECTION V
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION VI
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII
EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after publication.

The Marion Township Prohibition of Recreational Marihuana Establishments Ordinance No. #G 03-19 can be purchased, examined, or inspected at the Marion Township Hall, 2877 W. Coon Lake Rd., Howell, MI 48843 on Monday, Tuesday, Wednesday, or Thursday between the hours of 9 a.m. and 5 p.m.

Tammy L. Beal, Township Clerk

Moved by: Les Andersen

Supported by: Tammy Beal

Yeas: Lloyd, Hanvey, Beal, Stokes, Andersen

Nays: None

Abstentions: None

Absent: Durbin, Lowe

I hereby affirm that this ordinance was duly adopted by the Marion Township Board at its regular meeting held on the 14th day of March, 2019, to which I add my signature this 18th day of March, 2019.

Tammy L. Beal, Township Clerk

Date adopted by Township Board: March 18, 2018

Date published in newspaper: March 24, 2019

Name of newspaper published in: Livingston County Press and Argus

Effective date: April 24, 2019

Date filed with Livingston County Clerk: March 28, 2019

Date recorded in Twp. book of ordinances: March 31, 2019

NOTE TO CLERK:

- A. Publication of the ordinance shall be made within 30 days after passage of the ordinance.**
- B. Obtain Affidavit of Publication from newspaper and attach to the ordinance filed in the Township book of ordinances.**
- C. File attested copy of ordinance with the County Clerk within one week after publication.**
- D. Record the ordinance in a book of ordinances maintained by the Township Clerk, within one week of publication.**