

1/20/19

Draft Date
12/17/18

CASCO TOWNSHIP

ORDINANCE NO. 012119

MARIHUANA ESTABLISHMENTS ORDINANCE

AN ORDINANCE TO PROHIBIT MARIHUANA ESTABLISHMENTS AND THE SALE AND CONSUMPTION OF MARIHUANA; AND TO ESTABLISH AN EFFECTIVE DATE.

THE TOWNSHIP OF CASCO, COUNTY OF ALLEGAN, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Marihuana Establishments.

- (a) Pursuant to the provisions of section 6.1 of the Michigan Regulation and Taxation of Marihuana Act (the "Act"), marihuana establishments, as defined by the Act, are completely prohibited within the boundaries of the Township.
- (b) Any applicant for a state or local license to establish a marihuana establishment, as defined by the Act, within the boundaries of the Township shall be deemed to be not in compliance with this section or with this Ordinance.
- (c) This section does not supersede rights and obligations with respect to the transportation of marihuana through the Township to the extent provided by the Act, and does not supersede rights and obligations under Michigan law allowing for or regulating marihuana for medical use.

Section 2. Sale and Consumption of Marihuana in Public Places.

- (a) In conformance with Sections 4.1(e) and 6.2(b) of the Act, the sale or consumption of marihuana in any form and the sale or display of marihuana accessories, as defined by the Act, is prohibited in any public places within the boundaries of the Township.
- (b) Any person who violates any of the provisions of this section shall be responsible for a municipal civil infraction punishable by a civil fine of \$500, plus court-imposed costs.

- (c) This section does not supersede rights and obligations with respect to the transfer and consumption of marihuana on private property to the extent authorized by the person who owns, occupies, or operates such property, as provided in and authorized by the Act, and does not supersede rights and obligations with respect to the use of marihuana for medical purposes as provided by any law of the State of Michigan allowing for or regulating marihuana for medical use.

Section 4. Effective Date. This Ordinance was approved and adopted by the Township Board of the Township of Casco, Allegan County, Michigan, on 1/21/19, ~~2018~~, and it is ordered to take effect 30 days after publication of its contents or a summary of its contents in the South Haven Tribune, a local newspaper of general circulation in the Township, pursuant to the provisions of Act No. 246 of the Public Acts of 1945, as amended.



Allan Overhuser, Township Supervisor



Cheri Brenner, Township Clerk

CERTIFICATE

I, Cheri Brenner, Clerk for the Township of Casco, Allegan County, Michigan, certify that the foregoing Marihuana Establishments Ordinance was adopted at a regular meeting of the Township Board held on Jan. 21, 2019, 2018. The following members of the Township Board were present at that meeting: Overhiser, Brenner, Winfrey, Macyauski. The following members of the Township Board were absent: Judy GRAFT. The Ordinance was adopted by the Township Board with members of the Board Overhiser, Brenner, Winfrey, Macyauski voting in favor and 0 members of the Board voting in opposition. The Ordinance or a summary was published in the South Haven Tribune on March 31, 2019, 2018.

Cheri Brenner
Cheri Brenner, Township Clerk