

**NOTICE OF PUBLIC HEARING**  
**WEST BRANCH TOWNSHIP**

*In compliance with the Open Meetings Act Public Act 267 of 1976 (MCL 15.261, et.seq.)* A Public Hearing will be held before the West Branch Township Board for the purpose of reviewing the Prohibition of Recreational Marihuana Establishments Ordinance. THE FOLLOWING PROPOSED REQUEST, PER MICHIGAN ZONING ENABLING ACT, PA 110 OF 2006.

The public hearing will be held on **June 12, 2019 at 6:00 P.M.** at the West Branch Township Hall, 1705 S. Fairview Road, West Branch, MI 48661.

Copies of the proposed Ordinance may be examined by interested persons at the West Branch Township Hall on Tuesdays & Thursdays from 10am – Noon and 1pm – 4pm. Written comments will also be received at the above address up to the time of the hearing.

The West Branch Township Board will provide necessary reasonable auxiliary aids and services to individuals with disabilities. Individuals requiring such aids and services should contact the Township Clerk, Ryan Veeder, no later than 4 days prior to the public hearing in writing at the address above or by calling (989) 345-5450 ext. 2.

**TOWNSHIP OF WEST BRANCH  
COUNTY OF OGEMAW, STATE OF MICHIGAN  
ORDINANCE #49**

**ADOPTED: \_\_\_\_\_, 2019**

**EFFECTIVE: \_\_\_\_\_, 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 West Branch 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 WEST BRANCH, OGEMAW COUNTY, MICHIGAN ORDAINS:**

**SECTION I: TITLE**

This ordinance shall be known as and may be cited as the West Branch Township Prohibition of 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**

West Branch 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 ordinance or parts of ordinances in conflict herewith are hereby repealed.

**SECTION VII: EFFECTIVE DATE**

I hereby certify that the foregoing Ordinance is a true copy of the Ordinance adopted by the West Branch Township Board on June 12, 2019 and a summary was published in the Ogemaw County Herald on \_\_\_\_\_. This Ordinance becomes effective eight (8) days after publication on \_\_\_\_\_.

\_\_\_\_\_  
Ryan Veeder  
West Branch Township Clerk

\_\_\_\_\_  
Date