

SIDNEY TOWNSHIP
ORDINANCE NO. 01072019

(Marihuana Prohibition Ordinance)

This is an Ordinance to completely prohibit the establishment or operation of recreational marihuana establishments in the Township.

Now therefore, the Township of Sidney, Montcalm County, Michigan, ordains that Ordinance No. 01072019 shall read as follows:

Article I.

Section 1. Recreational Marihuana Establishments Prohibited.

The establishment and/or operation or any and all marihuana establishments, as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act. is completely prohibited within the Township of Sidney. This prohibition includes, but it is not limited to, the following marihuana establishments:

- A. Marihuana grower
- B. Marihuana safety compliance facility
- C. Marihuana processor
- D. Marihuana microbusiness
- E. Marihuana retailer
- F. Marihuana secure transporter

G. Any other marihuana – related business that is subject to licensing by the State Department of Licensing and Regulatory Affairs under Michigan Initiated Law of 1 of 2018 or the rules promulgated thereunder.

Section 2. Certain Rights not Impaired

This Ordinance does not limit any rights, privileges, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008.

Section 3. Violations; Injunctive Relief

A violation of this Ordinance is hereby declared to be a nuisance per se. The township may seek injunctive relief against a violator, in order to abate the violation or may seek other relief and remedies provided by law. In a proceeding for injunctive or other relief, the violator shall be responsible for the payment of all costs, damages, expenses and attorney fees incurred by the Township in or relating to the proceeding.

Section 4. Publication/ Effective Date

This Ordinance shall take effect on the date of publication of a copy thereof in the Daily News, a newspaper of general circulation within Montcalm County.

Article II.

All Ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

Article III.

If any section, paragraph clause or provision of this Ordinance is held for any reasons to be invalid or unconstitutional, the validity or unconstitutionality of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Article IV.

This Ordinance shall take effect on the 7th day of January 2018.

Carrie L. Wells

By:

Its:

[Signature]
Clerk