

ESSEX TOWNSHIP

PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE

ORDINANCE NO. 18

At a duly scheduled and notices meeting of the Township Board of Essex Township, Clinton County, Michigan, held at the Lowe United Methodist Church Hall on December 19, 2018, at 7:00 p.m., Township Board Member Gavenda moved to adopt the following ordinance, which was seconded by Township Board Member Winsor.

PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE: An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Essex 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 Essex, Clinton COUNTY, MICHIGAN ORDAINS:

SECTION I: TITLE

This ordinance shall be known as and may be cited as the Essex 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

Essex 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

This ordinance shall take effect December 19, 2018.

Roll call taken:

Supervisor Wardin: Aye

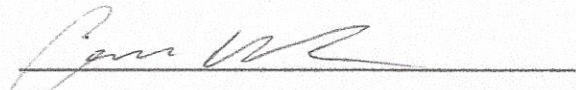
Treasurer George: Aye

Clerk Conner: Aye

Trustee Gavenda: Aye

Trustee Winsor: Aye

ORDINANCE DECLARED ADOPTED.

A handwritten signature in black ink, appearing to read 'Carla Wardin', is written over a solid horizontal line.

Carla Wardin, Essex Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of Ordinance No. 18, adopted by the Essex Township Board at a duly scheduled and noticed meeting of that Township Board held on December 19, 2018, pursuant to the required statutory procedures.
2. A summary of Ordinance No. 18 was duly published in the Clinton County News newspaper, a newspaper that circulates within Essex Township, on January 13, 2019.
3. Within 1 week after such publication, I recorded Ordinance No. 18 in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of Ordinance No. 18 with the Clinton County Clerk on January 16, 2019.

ATTESTED:

Lori Conner

Dated: 1-16-2019