

ADOPTED: 12/18/18
PUBLISHED: 12/30/18
EFFECTIVE: 1/14/18

**PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE
TOWNSHIP OF POWELL, MARQUETTE COUNTY, MICHIGAN**

An ordinance to provide a title for the ordinance; to define words; to prohibit marijuana establishments within the boundaries of Powell 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.

Section 1: Title

This ordinance shall be known as and may be cited as the Powell Township Prohibition of Marijuana Establishments Ordinance.

Section 2: 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 3: No Marihuana Establishments

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

Section 4: 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 5: 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 6: Repeal

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

Passed and adopted by the Township of Powell, county of Marquette, Michigan, on the 18th day of December, 2018 and approved by Township Supervisor on this 18th day of December, 2018

Darlene Turner
Darlene Turner, Supervisor

Attest: Samantha Morin
Samantha Morin, Clerk

Yeas: Turner
Morin
Erickson
Hudson

Nays: _____

Absent: Stanley