

**ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS
RICHFIELD TOWNSHIP, ROSCOMMON COUNTY, MICHIGAN**

Ordinance No. 67

ADOPTED: APRIL 16, 2019

EFFECTIVE: June 1, 2019

At a meeting of the Richfield Township Board, Roscommon County, Michigan, held at the Richfield Township Office on April 16, 2019, Board Member Huntley moved to adopt the following Ordinance, which motion was seconded by Board Member Milner:

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Richfield Township pursuant to Michigan Regulation and Taxation of Marihuana Act, 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 RICHFIELD, ROSCOMMON COUNTY, MICHIGAN ORDAINS:

SECTION I: TITLE

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

SECTION II: DEFINITIONS

Words used herein shall be constructed to have the same meaning as provided in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, et seq., as may be amended.

SECTION III: NO MARIHUANA ESTABLISHMENTS

Richfield Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, 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 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 be no 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 Richfield Township Ordinance Enforcement Officer 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 June 1, 2019. This Ordinance shall become effective thirty (30) days after its publication (or publication of a summary thereof) in a newspaper in general circulation within Richfield Township.

Ayes: Scott, VanWormer, Huntley, Milner, Lacey

Nays: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.