

TOWNSHIP OF OCQUEOC
COUNTY OF PRESQUE ISLE, STATE OF MICHIGAN

ORDINANCE NO. 2019-1

PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE

AN ORDINANCE TO PROVIDE A TITLE FOR THIS ORDINANCE; TO DEFINE WORDS; TO PROHIBIT MARIHUANA ESTABLISHMENTS WITHIN THE BOUNDARIES OF OCQUEOC 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; 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 OCQUEOC PRESQUE ISLE COUNTY, MICHIGAN ORDAINS:

SECTION I

TITLE

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

SECTION 11
DEFINITIONS

Words used herein shall have the definitions as provided for 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

pursuant to the Michigan Regulation and Taxation of Marihuana Act (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 \$300, 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 Supervisor 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 ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION VII

EFFECTIVE DATE

This ordinance shall take effect 30 days after the date of publication of the ordinance.

SECTION VIII

PUBLICATION

Publication of this ordinance shall be made within 30 days after the passage of the ordinance by inserting either a true copy or a summary of the ordinance once in a newspaper circulating within the Township. If a summary of the ordinance is published, the Township shall designate in the publication the location in the Township where a true copy of the ordinance can be inspected or obtained.

OCQUEOC TOWNSHIP
PAMELA SCHAEIDIG, CLERK

Adopted: February 14, 2019
Published February 21, 2019