

**CHARTER TOWNSHIP OF BREITUNG, DICKINSON COUNTY, MICHIGAN
ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS
ORDINANCE NO. 1 - 2019**

At a meeting of the Charter Township of Breitung Board, Dickinson County, Michigan, held in the Charter Township of Breitung board room on March 25, 2019 at 7:00 p.m., Clerk Neuens moved to adopt the following Ordinance, which then seconded by Treasurer Taylor.

An Ordinance to prohibit marihuana establishments within the boundaries of the Charter Township of Breitung pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as may be amended.

CHARTER TOWNSHIP OF BREITUNG, DICKINSON COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE. This ordinance shall be known as and may be cited as the Charter Township of Breitung Prohibition of Marihuana Establishments Ordinance.

SECTION 2: DEFINITIONS. Words used within this Ordinance shall be construed to have the same meaning as provided in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as may be amended.

SECTION 3: NO MARIHUANA ESTABLISHMENTS. All marihuana establishments are prohibited within the boundaries of the Charter Township of Breitung pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, 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 or more than \$5,000, 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 Charter Township of Breitung Township Ordinance Enforcement Officer 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.

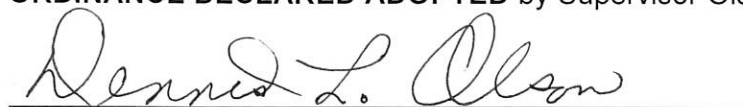
SECTION 6: REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: EFFECTIVE DATE. This Ordinance shall take effect 30 days after notice of its adoption is published in a local newspaper.

ROLL CALL VOTE: AYES: Trustees Johnson, Rochon, Wales, Clerk Neuens, Supervisor Olson and Treasurer Taylor.

ABSENT: Trustee Soderbloom.

ORDINANCE DECLARED ADOPTED by Supervisor Olson.



DENNIS OLSON
CHARTER TOWNSHIP OF BREITUNG SUPERVISOR