

**TOWNSHIP OF GERRISH
COUNTY OF ROSCOMMON, STATE OF MICHIGAN
ORDINANCE NO XXXXVII (47)**

ADOPTED: January 8, 2019

EFFECTIVE: February 17, 2019

**PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS
ORDINANCE**

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Gerrish Township pursuant to Initiated Law 1 of 2018, MCL 333.27951-333.27967 *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 GERRISH
ROSCOMMON COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
TITLE**

This ordinance shall be known as and may be cited as the Gerrish 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 333.27951-333.27967 *et seq.*, as may be amended.

**SECTION III
NO MARIHUANA ESTABLISHMENTS**

Gerrish Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951-333.27967 *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 prosecution of a municipal civil infraction, or a civil action to abate a nuisance, including attorney fees.
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, a Gerrish Township Police Officer, or by such other person (s) as may be 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 February 17, 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 Gerrish Township.

This Ordinance was offered for adoption by Township Board Member Udy and was seconded by Township Board Member Lippert, the vote being as follows:

Ayes: Patchin, Udy, Link, Lippert, Tulgetske
Nays: None

ORDINANCE DECLARED ADOPTED.

Kathleen Patchin

Kathleen Patchin Gerrish Township Clerk

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance adopted by the Gerrish Township Board at a regular meeting held at the Gerrish Township Hall on January 8, 2019, at 7:00 p.m., pursuant to the required statutory notice and procedures.

Kathleen Patchin Gerrish Township Clerk