

ORDINANCE NO. 45

Prohibition of Marihuana Establishments Ordinance

An Ordinance to prohibit marihuana establishments in areas other than the Medical Marijuana Facilities Overlay District, pursuant to the Michigan Regulation and Taxation of Marihuana Act, Ballot Proposal of 2018.

**THE CHARTER TOWNSHIP OF MADISON, LENAWEE COUNTY, MICHIGAN
HEREBY ORDAINS:**

Section 1. Title.

This ordinance shall be known as the "Madison Charter Township Prohibition of Marihuana Establishments Ordinance."

Section 2. Definitions.

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL _____ *et seq.*, as may be amended.

Section 3. Prohibition on Marihuana Establishments.

Except as otherwise permitted in the Medical Marijuana Facilities Overlay District, adopted under the provisions of the Medical Marijuana Facilities Licensing Act, MCL 333.27101 *et seq.*, Madison Charter 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

- 4.1. 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.
- 4.2. A violation of this ordinance is a municipal civil infraction, for which the fines shall as set forth in the Madison Charter Township Municipal Penalty, Civil Infraction and Appearance Tickets Ordinance., being Ordinance 34 of the Madison Charter Township Ordinances. 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.
- 4.3. Each day during which any violation continues shall be deemed a separate offense.

- 4.4. 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.
- 4.5. 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 various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Repeal.

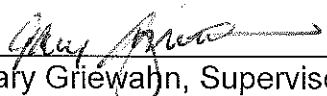
All ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

Section 7. Effective Date.

This ordinance shall become effective thirty (30) days after its publication (or publication of a summary thereof) in a newspaper in general circulation within Madison Charter Township.

YEAS: (7) Bales, Carpenter, Benschoter, Liedel, Gregg, Griewahn and Etter
NAYS: (0) None
ABSENT: (0) None

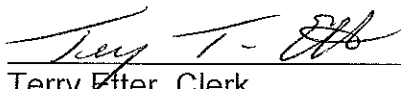
Ordinance declared adopted on November 13, 2018.



Gary Griewahn, Supervisor
Charter Township of Madison

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Terry Etter, the duly elected Clerk of the Charter Township of Madison certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Charter Township of Madison on November 13 , 2018 and published in Adrian Daily Telegram, a newspaper circulated in the Charter Township of Madison on Nov. 13th, 2018.



Terry Etter, Clerk
Charter Township of Madison