

**HASTINGS CHARTER TOWNSHIP
BARRY COUNTY, MICHIGAN**

ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS

Ordinance No. 2019-01

At a meeting of the Hastings Charter Township Board, Barry County, Michigan, held at the Township Hall on May 14, 2019, at 7:00 p.m., Board Member William Wetzel moved to introduce the following Ordinance for first reading, posting, and publication prior to subsequent final adoption, which motion was seconded by Board Member James Partridge:

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

HASTINGS CHARTER TOWNSHIP, BARRY COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE. This Ordinance shall be known as and may be cited as the Hastings Charter Township 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 amended, MCL 333.27951 *et seq.*

SECTION 3: NO MARIHUANA ESTABLISHMENTS. All marihuana establishments are prohibited within the boundaries of Hastings Charter Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as 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 a violation of this Ordinance. A violation of this Ordinance is deemed a nuisance per se.

2. A violation of this Ordinance is a municipal civil infraction, punishable by a fine of \$5,000.00, along with any costs, direct or indirect expenses, or attorney's fees that the Township incurs in connection with that infraction. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this Ordinance and any other relief available at law or equity.

3. Each day during which any violation continues shall be deemed a separate offense.

4. This Ordinance shall be administered and enforced by such 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.

Published by Order of the Township Board
Hastings Charter Township, Barry County, Michigan
Anita Mennell, Hastings Charter Township Clerk
269-948-9690