

**CHARTER TOWNSHIP OF DEWITT
COUNTY OF CLINTON, STATE OF MICHIGAN**

ORDINANCE NO. 2018-12-01

ADOPTED: _____, 2018

EFFECTIVE: _____, 2018

**PROHIBITION OF MARIHUANA FACILITIES AND RECREATIONAL MARIHUANA
ESTABLISHMENTS ORDINANCE**

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana facilities and marihuana establishments within the boundaries of DeWitt Township pursuant to Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016, MCL 333.27101, *et seq.*, as may be amended, and Initiated Law 1 of 2018, Michigan Regulation and Taxation of Marihuana Act, 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 CHARTER TOWNSHIP OF DEWITT
CLINTON COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
TITLE**

This ordinance shall be known as and may be cited as the DeWitt Charter Township Prohibition of Marihuana Facilities and Marihuana Establishments Ordinance.

**SECTION II
DEFINITIONS**

Words used herein shall have the definitions as provided for in Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016, MCL 333.27101, *et seq.*, as may be amended, and Initiated Law 1 of 2018, Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, *et seq.*, as may be amended.

**SECTION III
NO MARIHUANA FACILITIES AND MARIHUANA ESTABLISHMENTS**

DeWitt Charter Township hereby prohibits all medical marihuana facilities within the boundaries of the Township pursuant to Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016, MCL 333.27101, *et seq.*, as may be amended, and prohibits marihuana establishments pursuant to Initiated Law 1 of 2018, 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 \$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 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 or other legal measures as provided by law 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 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 ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII
EFFECTIVE DATE

This ordinance shall take effect _____, 2018.

DEWITT TOWNSHIP
Adam Cramton, Clerk

(517) 668-0270