

TOWNSHIP OF METAMORA
COUNTY OF LAPEER
STATE OF MICHIGAN

ORDINANCE NO. 48

AN ORDINANCE TO PROHIBIT THE ESTABLISHMENT OR OPERATION OF MARIHUANA FACILITIES PURSUANT TO THE MICHIGAN REGULATION AND TAXATION OR MARIHUANA ACT, INITIATED LAW 1 OF 2018, MCL _____ 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 METAMORA, LAPEER COUNTY, MICHIGAN ORDAINS:

SECTION I - TITLE

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

SECTION II - DEFINITIONS

Words used herein shall have the definitions as provided for in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL _____ et seq., as may be amended.

SECTION III - NO MARIHUANA ESTABLISMENTS

Metamora Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Section 6.1 of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL _____ 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 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 become effective immediately upon publication of a notice of adoption.

Derderian; aye, Bedford; aye, Benscoter; aye, Best; aye, Clark; aye

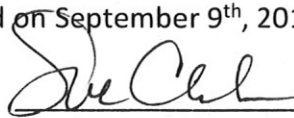
Roll Call Vote: **AYES: 5**
 NAYS: 0
 ABSENT: 0

ORDINANCE APPROVED AND ADOPTED,

CERTIFICATION

STATE OF MICHIGAN }
 } ss
COUNTY OF LAPEER }

I, the undersigned duly qualified Township Clerk of Metamora Township, Lapeer County, Michigan, do hereby certify the foregoing is a true and complete copy of the proceedings taken by Township Board of Metamora at a meeting held on September 9th, 2019.



Sue Clark, Clerk
Metamora Township

Published: **September 15th, 2019**

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 30 2019
METAMORA TWP.

STATE OF MICHIGAN
COUNTY OF LAPEER SS

Stacey Hulber, being first duly sworn, says that (s)he is the Accounting Assistant of The County Press, a newspaper published in English language for dissemination of local or transmitted news and intelligence of a general character and legal news, which is a duly qualified paper, and that annexed hereto is a copy of a certain order taken from said newspaper, in which the order was published.

September 15, 2019

Stacey Hulber

Subscribed and sworn to before me this 15th day of September, 2019

Deborah Klien
Notary Public, Lapeer County, Michigan

My commission expires _____

Prepared by:
The County Press
1521 Imlay City Rd.
Lapeer, MI 48446

DEBORAH KLIEN
Notary Public, State of Michigan
County of Genesee 07-2025
My Commission Expires 07-2025
Acting in the County of *Lapeer*

STATE OF MICHIGAN
AN ORDINANCE TO PROHIBIT THE ESTABLISHMENT OR OPERATION OF ANY BUSINESS OR ENTERPRISE PURSUANT TO THE MICHIGAN REGULATION AND TAXATION OR MICHIGAN REGULATION AND TAXATION ACT, INITIATED BY RESOLUTION NO. 2018-01, ET SEQ. OF 2018, MCL _____ ET SEQ. AS MAY BE AMENDED, TO PROVIDE THAT THE TOWNSHIP OF METAMORA, MICHIGAN, SHALL ENFORCE THIS ORDINANCE TO PROVIDE FOR SEVERABILITY; TO REPEAL ANY PROVISIONS OF ANY ORDINANCES OR ORDINANCES IN CONFLICT THEREWITH; AND TO PROVIDE AN EFFECTIVE DATE.

THE TOWNSHIP OF METAMORA, LAPEER COUNTY, MICHIGAN ORDINANCE.

SECTION I - TITLE
This Ordinance shall be known as the _____ Ordinance and may be cited as the Metamora Township Prohibition of Marijuana Establishments Ordinance.

SECTION II - DEFINITIONS
The words used herein shall have the meanings ascribed to them in the Michigan Regulation and Taxation of Marijuana Act, Initiated Law 1 of 2018, MCL _____ et seq., as may be amended.

SECTION III - NO MARIJUANA ESTABLISHMENTS
Metamora Township hereby prohibits the establishment, operation, or maintenance within the boundaries of the Township pursuant to Section 330.1 of the Michigan Regulation and Taxation of Marijuana Act, Initiated Law 1 of 2018, MCL _____ et seq., as may be amended.

SECTION IV - VIOLATIONS AND PENALTIES
Any person who discovers, neglects or refuses to comply with any provision of this ordinance or who knowingly or recklessly causes any of the same shall be deemed to be responsible for the violation. This ordinance is deemed to be a nuisance per se.

2. A violation of this ordinance is a municipal civil infraction, for which the maximum fine shall be \$100 or more than \$500, in the discretion of the Court. The foregoing shall not constitute a bar to the rights of the Township to proceed at law or equity with other persons and/or entities. 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 who violate any provision of this ordinance, and such other relief as may be provided by law.

5. This ordinance shall be administered and enforced by the Township Board. The Township Board may designate any person (s) as designated by the Township Board from time to time.

SECTION V - SEVERABILITY
The provisions of this ordinance shall be severable. If any provision of this ordinance is held to be invalid, the remainder of the ordinance shall continue in full force and effect.

SECTION VI - REPEAL
All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII - EFFECTIVE DATE
This ordinance shall become effective immediately upon publication of a notice of adoption.

Roll Call Vote:
AYES: 5
NAYS: 0
ABSENT: 0

ORDINANCE APPROVED AND ADOPTED.

CERTIFICATION
STATE OF MICHIGAN)
COUNTY OF LAPEER)

I, the undersigned, duly qualified Notary Public for the County of Lapeer, Michigan, do hereby certify the foregoing is a true and correct copy of the Ordinance as published and recorded in the public records of Metamora at a meeting held on September 19th, 2019.

Sue Clark, Clerk
Metamora Township