

ODESSA TOWNSHIP, IONIA COUNTY, MICHIGAN
ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS
Ordinance No. 22

At a meeting of the Odessa Township Board, Ionia County, Michigan, held at the Odessa Township Office on December 3, 2018, at 7 p.m., Board Member Bulling moved to adopt the following Ordinance, which motion was seconded by Board Member Godwin:

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

ODESSA TOWNSHIP, IONIA COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE. This Ordinance shall be known as and may be cited as the Odessa 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 may be amended.

SECTION 3: NO MARIHUANA ESTABLISHMENTS. All marihuana establishments are prohibited within the boundaries of Odessa Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as may be amended.

SECTION 4: VIOLATIONS AND PENALTIES.

(a) 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*.

(b) A violation of this Ordinance is a municipal civil infraction, for which the fines shall not be less than \$500 nor more than \$5,000, 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.

(c) Each day during which any violation continues shall be deemed a separate offense.

(d) 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.

(e) This Ordinance shall be administered and enforced by the Odessa Township Ordinance Enforcement Officer or by such other 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.

ROLL CALL VOTE:

YEAS: Bulling, Goodmoot, Williams, Doane & Pohrbacher.
NAYS: none
ABSENT/ABSTAIN: none

ORDINANCE DECLARED ADOPTED



Dave Bulling, Odessa Township Supervisor

CERTIFICATION

I, Lisa K. Williams, Clerk of Odessa Township, hereby certify that the foregoing is a true and accurate copy of Ordinance No. 22, adopted by the Odessa Township Board on the 3rd day of December, 2018. A summary of the Ordinance was duly published in the Lakewood News newspaper, a newspaper that circulates within Odessa Township, on Dec 8th, 2018. Within one (1) week after such publication, I recorded the Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the Ordinance, the names of the members of the Township Board voting, and how each member voted. I filed an attested copy of the Ordinance with the Ionia County Clerk on December 17, 2018.

Attested:



Lisa K. Williams, Odessa Township Clerk

**Odessa Township
Ionia County, Michigan
Odessa Township Prohibition of Marihuana Establishments Ordinance
Notice of Adoption**

Ordinance No. _____

At a meeting of the Township Board of Odessa Township, Ionia County, Michigan, held at the Odessa Township Hall on December 3, 2018, at 7 p.m., the Township Board adopted Ordinance No. ____, the Odessa Township Prohibition of Marihuana Establishments Ordinance, to prohibit marihuana establishments within the boundaries of Odessa Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as may be amended. Copies of the complete text of the Ordinance were posted and are available for purchase at the office of the Township Clerk at 3862 Laurel Drive, Lake Odessa, MI 48849. The Ordinance has the following sections and catch lines: Section 1: Title; Section 2: Definitions; Section 3: No Marihuana Establishments; Section 4: Violations and Penalties; Section 5: Severability; Section 6: Repeal; and Section 7: Effective Date, which shall be 30 days after this notice is published.

Published by Order of the Township Board
Odessa Township, Ionia County, Michigan
Lisa K. Williams, Township Clerk
616-374-4237 Ext. 10

Publication Date: _____, 2018