

**PINE RIVER TOWNSHIP
GRATIOT COUNTY, MICHIGAN**

ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS

Ordinance No. 2019-101

At a meeting of the Pine River Township Board, Gratiot County, Michigan, held at the Township Hall on March 19, 2019, at 7:00 p.m., Board Member Moeggenborg moved to adopt the following Ordinance, whose motion was seconded by Board Member Baker :

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

PINE RIVER TOWNSHIP, GRATIOT COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE. This Ordinance shall be known as and may be cited as the Pine River 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 Pine River 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 fees that the Township incurs in connection with the 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 the Pine River Township Code 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: Best, Meeggenborg, Beeson, Whitmore, Baker (5)
 NAYS: ∅
 ABSENT/ABSTAIN: ∅

ORDINANCE DECLARED ADOPTED



 Kevin Beeson, Pine River Township Supervisor

CERTIFICATE

STATE OF MICHIGAN)
) ss
 COUNTY OF GRATIOT)

I, Andrea Whitmore, Clerk of Pine River Township, do hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2019-101, adopted by the Pine River Township Board on March 19, 2019. A Notice of Adoption was duly published in the Morning Sun newspaper, a newspaper that circulates within Pine River Township, on March 22, 2019. 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 Gratiot County Clerk on March 29, 2019.

Attested:



 Andrea Whitmore, Pine River Township Clerk