

# **Charter Township of Orion**

## **Ordinance No. 156**

### **Prohibition of Recreational Marihuana Establishments Ordinance**

Adopted June 3, 2019

# **Ordinance No. 156    Prohibition of Recreational Marihuana Establishments**

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**AN ORDINANCE TO PROVIDE A TITLE FOR THE ORDINANCE; TO DEFINE WORDS; TO PROHIBIT MARIHUANA ESTABLISHMENTS WITHIN THE BOUNDARIES OF THE CHARTER TOWNSHIP OF ORION PURSUANT TO INITIATED LAW 1 OF 2018, MCL333.27965 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.**

## **ARTICLE I – TITLE**

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

## **ARTICLE II – DEFINITIONS**

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, Proposal 1 of 2018, as may be amended.

## **ARTICLE III – NO MARIHUANA ESTABLISHMENTS**

The Charter Township of Orion hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, Proposal 1 of 2018, as may be amended.

## **ARTICLE 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.

## **ARTICLE V – SEVERABILITY**

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, word, article, 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.

## **ARTICLE VI – REPEAL**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

## **ARTICLE VII – EFFECTIVE DATE**

This Ordinance shall be published in full in a newspaper of general circulation in the Charter Township of Orion qualified under State law to publish legal notices and shall become effective upon publication, as provided by law.

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