

HAYES TOWNSHIP
CLARE COUNTY, MICHIGAN

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ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS

CLARE COUNTY
HARRISON, MICHIGAN

Ordinance No. 18-03

At a meeting of the Hayes Township Board, Clare County, Michigan, held at the Township Hall on April 16, 2019, at 7:00 p.m., Board Member Hoyt moved to adopt the following Ordinance, whose motion was seconded by Board Member Acton:

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

HAYES TOWNSHIP, CLARE COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE. This Ordinance shall be known as and may be cited as the Hayes 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 Hayes 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 Hayes Township Zoning Administrator 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

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NOTICE OF ADOPTION

Please take notice that on April 16, 2019, the Township Board of Hayes Township adopted Ordinance No. 18-03, which prohibits marihuana establishments within the Township. Copies of the Ordinance may be obtained from Debra Hoyt, 2055 East Townline Lake Road, Harrison, MI 48625.

The Ordinance provides, in summary, for a prohibition on all marihuana establishments within the Township. 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 is 30 days after this publication.

Published by Order of the Township Board
Hayes Township, Clare County, Michigan
Debra Hoyt, Township Clerk
(989) 539-7128

Publication Date: April 25, 2019