

TOWNSHIP OF HOUGHTON
COUNTY OF KEWEENAW, STATE OF MICHIGAN
ORDINANCE NO. 1

ADOPTED: JULY 15TH, 2019

EFFECTIVE: 30 Days after Publication

PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS
ORDINANCE

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Houghton Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, 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 HOUGHTON
KEWEENAW COUNTY, MICHIGAN

ORDAINS:

SECTION I
TITLE

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

SECTION II
DEFINITIONS

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, *et seq.*

SECTION III
NO MARIHUANA ESTABLISHMENTS

Houghton Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*

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 such person (s) as set forth from time to time in accordance with section 7 of Ordinance 2019-2, being the Houghton Township Municipal Penalty, Civil Infraction and Appearance Tickets Ordinance.

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 take effect 30 days after publication as provided in MCL, 41, 184(3).

This Ordinance was offered for adoption by Township Board Member Kathy McEvers and was seconded by Township Board Member Jack Treganowan, the vote being as follows:

YEAS: Melvin Jones, Mary Long, Kathy McEvers, and Jack Treganowan

NAYS: 0

ABSENT/ABSTAIN: Absent Carol Jones

HOUGHTON TOWNSHIP
Carol Jones, Clerk



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