

MILAN TOWNSHIP ORDINANCE NO. 25

**MILAN TOWNSHIP PROHIBITION OF
MARIHUANA ESTABLISHMENTS ORDINANCE**

An Ordinance enacted pursuant to Act 246 of the Public Acts of 1945, as amended, and Initiated Law 1 of 2018, known as the Michigan Regulation and Taxation of Marihuana Act (MCL §333.2795 et seq.), to prohibit marihuana establishments within the boundaries of Milan Township pursuant to Section 6(1) of the Michigan Regulation and Taxation of Marihuana Act, as may be amended; to provide for enforcement and penalties for the violation thereof; to provide for the public health, safety, and general welfare of the persons and property of the Township of Milan; and to repeal all other Ordinances, parts of Ordinances, codes, or regulations in conflict hereof.

**THE TOWNSHIP OF MILAN, COUNTY OF MONROE, STATE OF MICHIGAN,
ORDAINS:**

SECTION 1. SHORT TITLE.

This Ordinance shall be known and referred to as the “Milan Township Prohibition of Marihuana Establishments Ordinance”.

SECTION 2. DEFINITIONS.

The words used herein shall have the meaning as defined and set forth in the Michigan Regulation and Taxation of Marihuana Act (MCL §333.27951 et seq.), as may be amended.

SECTION 3. PURPOSE.

This Ordinance is adopted for the purpose of prohibiting “marihuana establishments” within the boundaries of Milan Township and to provide for the public health, safety, and general welfare of the persons and property of the Township of Milan.

SECTION 4. PROHIBITION.

Pursuant to Section 6(1) of the Michigan Regulation and Taxation of Marihuana Act, as may be amended, Milan Township hereby elects to prohibit all “marihuana establishments” within its boundaries.

SECTION 5. VIOLATIONS AND PENALTIES.

1. Any person, including the owner and/or occupant of any property within the boundaries of Milan Township, who disobeys, neglects, or fails 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. Each day during which any violation continues shall be deemed a separate offense.

2. A violation of this Ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding Five Hundred and No/100 Dollars (\$500.00) or by imprisonment not exceeding ninety (90) days, or by both such fine and imprisonment in the discretion of the Court.

3. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with all other appropriate and proper remedies. Violation of this Ordinance shall be deemed to be a nuisance per se. 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. Additionally, the violator shall pay consequential costs which shall include all expenses, direct and indirect, which the Township may incur in connection with the violation and enforcement of this Ordinance.

4. 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.

SECTION 6. SEVERABILITY.

This Ordinance, and the various parts, sentences, paragraphs, sections, subsections, phrases and clauses hereof, are hereby declared severable, and if any of them are judged unconstitutional or invalid, it is hereby declared that the remainder of the Ordinance shall not be affected.

SECTION 7. INCONSISTENT ORDINANCES REPEALED.

All Ordinances or parts of Ordinances in conflict with this Ordinance, are to the extent of such conflict, repealed.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective on the thirty-first (31st) day after it, or a summary of it, is published in a newspaper of general circulation in the Township of Milan. This Ordinance, or a summary of it, shall be published in a newspaper of general circulation in the Township of Milan within thirty (30) days after its adoption.

I, Barbara Collins, do hereby certify that I am the duly elected and acting Township Clerk of the Township of Milan, and I do hereby certify that this Ordinance was adopted by the Township Board of the Township of Milan, Monroe County, Michigan, at a regular meeting of the Township Board held at the Milan Township Hall, Milan, Michigan, on the 10th day of January, 2019.

**THE TOWNSHIP BOARD OF THE
TOWNSHIP OF MILAN, COUNTY OF
MONROE, STATE OF MICHIGAN**

By: Barbara J. Collins
Barbara Collins,
Milan Township Clerk

AUTHENTICATED:

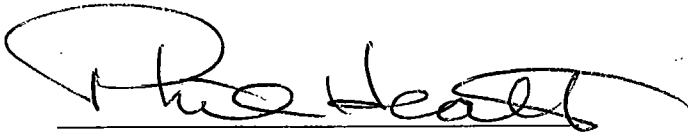
By: Philip Heath
Philip Heath,
Milan Township Supervisor

I, Barbara Collins, do hereby certify that I am the duly elected and acting Township Clerk of the Township of Milan, and I do hereby certify that this Ordinance, or a summary of it, was published on the _____ day of January, 2019, in the _____, in Monroe County, Michigan, a newspaper of general circulation in the Township of Milan, within thirty (30) days after the adoption.

Dated: _____

Barbara Collins, Milan Township Clerk

ATTEST:



Philip Heath, Milan Township Supervisor

ADOPTED: January 10th, 2019

PUBLISHED: January _____, 2019

EFFECTIVE: _____, 2019

MJK/blc
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