

ORDINANCE NO. 18-3

Prohibition of Marihuana Establishments Ordinance

An Ordinance to prohibit marihuana establishments pursuant to the Michigan Regulation and Taxation of Marihuana Act, Ballot Proposal of 2018.

THE TOWNSHIP OF FRANKLIN, LENAWEЕ COUNTY, MICHIGAN ORDAINS:

Section 1. Title.

This ordinance shall be known as the "Township of Franklin Prohibition of Marihuana Establishments Ordinance."

Section 2. Definitions.

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

Section 3. Prohibition on Marihuana Establishments.

Franklin Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL _____ *et seq.*, as may be amended.

Section 4. Violations and Penalties

- 4.1. 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.
- 4.2. A violation of this ordinance is a municipal civil infraction, for which the fines shall as set forth in the Franklin Township Municipal Civil Infractions and Violations Bureau Ordinance. 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.
- 4.3. Each day during which any violation continues shall be deemed a separate offense.
- 4.4. 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.
- 4.5. 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.

Section 5. Severability.

The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Repeal.

All ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

Section 7. Effective Date.

This ordinance shall become effective thirty (30) days after its publication (or publication of a summary thereof) in a newspaper in general circulation within Franklin Township.

YEAS: VanValkenburg, Moore, Whitehead, Platt
NAYS: None
ABSENT: Kelley

Ordinance declared adopted on November 13, 2018.

Robert Platt
Supervisor, Franklin Township

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Sue Whitehead, the duly elected Clerk of Franklin Township certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of Franklin Township on November 13, 2018 and published in The Daily Telegram, a newspaper circulated in Franklin Township on November 17, 2018.

Sue Whitehead
Clerk, Franklin Township