

ORDINANCE NO. 2018-11-14.0

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE TOWNSHIP OF BURTCHVILLE, ST CLAIR COUNTY, MICHIGAN by adding TITLE XI, Chapter 112, of the Township Code of Ordinances.

Short Title: TOWNSHIP OF BURTHCVILLE – ORDINANCE TO PROHIBIT MARIHUANA ESTABLISHMENTS.

The Michigan Regulation and Taxation of Marihuana Act, (The “Act”) Sec. 6 allows a township to completely prohibit or limit the number of marihuana establishments, as defined in the Act, within its boundaries.

Now therefore the Township of Burtchville Ordains,

Title XI, Chapter 112, Section 112.01 through 112.06 of the Code of Ordinances of the Township of Burtchville, Michigan, are hereby added as follows:

112.01 Definitions. The words used in this Chapter shall have the same meaning and definitions as used in The Michigan Regulation and Taxation of Marihuana Act.

112.02 The Township of Burtchville ordains that pursuant to the Michigan Regulation and Taxation of Marihuana Act, Section 6.1, the Township of Burtchville elects to prohibit Marihuana Establishments, as defined in the Act, within its boundaries.

112.03 Penalties. Any person, firm, corporation, association who shall violate any provision of this chapter shall be subject to a civil infraction with a penalty of \$500.00 Dollars. In addition to any remedies available at law, the Township may bring an action for an injunction or other process against a person, firm, corporation or association to restrain, prevent or abate any violation of this chapter.

112.04 Scope. This Ordinance prohibits Marihuana establishments in all zoning classifications and geographic areas within the Township.

112.05 Effective Date. The ordinance requires that it be immediately effective as allowed by law, with notice and publication as required by law, as is necessary for the preservation of the public peace, health, or safety and is adopted pursuant to Township Ordinances, Public Act 246 of 1945.

112.06 Repealer. Any Ordinance, Resolution or any part thereof of the Township of Burtchville that is inconsistent with the provisions of this Ordinance is hereby repealed.

Notwithstanding anything else in the Ordinance, nothing in this Ordinance shall result in any prohibition otherwise allowed under the Michigan Regulation and Taxation of Marihuana Act, as adopted, or the Michigan Medical Marihuana Act initiated law 1 of 2008.

Passed by the Township Board on November 14, 2018 at its Special meeting with All Trustees in attendance, 5 (five) voting aye, with 0 (none) voting nay. Adopted by the Township Board of Trustees on this 14th day of November, 2018.

Signed: Robert C. Bailey
Robert C Bailey/Clerk

I hereby certify that the foregoing was duly adopted by the Township of Burtchville, St Clair County, Michigan, at a Special meeting on the 14th of November, 2018, that of the five (5) members of the Township Board of Trustees, all five (5) were in attendance and all five (5) voted for the adoption of the Ordinance. I further certify that the above and foregoing ordinance is recorded in Ordinances book of the Township of Burtchville.