

CHARTER TOWNSHIP OF WATERFORD

ORDINANCE NO. 2019-005

MARIJUANA ESTABLISHMENT PROHIBITION ORDINANCE

An Ordinance to amend Article I in Chapter 10 of the Waterford Charter Township Code to prohibit marijuana establishments in the Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, et seq, and to provide penalties for violation of this Ordinance.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The Waterford Charter Township Code is amended by adding a new Section 10-001 in a new Division 1 of Article I, In General, in Chapter 10, Business Regulations, Licensing and Registration to read as follows:

ARTICLE I. IN GENERAL.

Division 1. Prohibited Businesses

Sec. 10-001. Marijuana Establishments Prohibited; Civil infraction

- (a) **Intent and Purpose.** The Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, and more specifically Section 6(1) thereof, MCL 333.27956(1), authorizes municipalities to prohibit marijuana establishments within their boundaries by adoption of an ordinance. Adoption of such an ordinance does not preclude a municipality from further studying and revisiting the issue at a future date.
- (b) **Prohibition of Marijuana Establishments.**
 - (1) *Definitions.* Words used in this section shall have the definitions as provided for in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.
 - (2) *Prohibition.* Pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, all marijuana establishments are prohibited within the boundaries of the Township.
 - (3) *Violations.* Violation of this Section is a civil infraction punishable and subject to enforcement as provided in Sections 1-010(b), (c), and (d) of this Code. Such sanctions and enforcement shall be in addition to the rights of the Township to request and receive other legal and equitable relief and remedies as may be provided by law against persons alleged to be in violation of this ordinance.

Section 2 of Ordinance

Should any Section, subdivision, sentence, clause or phrase of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 3 of Ordinance

This Ordinance shall take effect immediately upon publication.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a regular meeting held on _____, 2019.

CHARTER TOWNSHIP OF WATERFORD

Date

By: _____
Kimberly F. Markee, Township Clerk

Introduced:

Adopted:

Published: