

**TOWNSHIP OF RICHMOND
COUNTY OF OSCEOLA, STATE OF MICHIGAN**

ORDINANCE NO: 62-19 of 2019

ADOPTED: MAY 21, 2019

EFFECTIVE: MAY 30, 2019

PROHIBITION OF RECREATIONAL MARIJUANA ESTABLISHMENTS ORDINANCE

An Ordinance to provide a title for the ordinance; to define words; to prohibit marijuana establishments within the boundaries of Richmond Township pursuant to initiated Law 1 of 2018, MCL 333.27951 *et seq.*, as may be amended; to prohibit the sale and consumption of marijuana in public places; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances in conflict therewith; and to provide an effective date.

THE TOWNSHIP OF RICHMOND

OSCEOLA COUNTY, MICHIGAN

ORDAINS:

SECTION I

TITLE

This ordinance shall be known as and may be cited as the Richmond Township Prohibition of Marijuana 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.*, as may be amended.

SECTION III

NO MARIJUANA ESTABLISHMENTS

Richmond Township hereby prohibits all recreational marijuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL333.27951 *et seq.*, as may be amended.

SECTION IV

PROHIBITION ON SALE AND CONSUMPTION OF MARIJUANA IN PUBLIC PLACES

1. In conformance with Michigan Regulation and Taxation of Marijuana Act, Section 4.1€ and 6.2(b) of the Act, except as otherwise provided in this section, the sale or consumption of marijuana in any form and the sale and display of marijuana accessories, as defined by the Act, is prohibited in any public place within the boundaries of Richmond Township.

2. This section does not supersede rights and obligations with respect to the transfer and consumption of marijuana on private property to the extent authorized by the person who owns, occupies or operates such property, as provided in and authorized by the Act, and does not supersede rights and obligation with respect to the use of marijuana for medical purposes as provided by any law of the State of Michigan allowing for or regulating marijuana for medical use.

SECTION V
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 the Township or by such person (s) as designated by the Township Board from time to time.

SECTION VI
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 VII
REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VIII
EFFECTIVE DATE

This ordinance shall take effect immediately after adoption and publication and publication as required by law.

Maynard Bluhm, Supervisor
Richmond Township Clerk

I, Linda Stieg, Clerk of Richmond Township, hereby certify that the foregoing Ordinance was adopted on the 21st day of May, 2019, and published on the 29th day of May, 2019, as provided by law.

 5-21-19

Linda Stieg, Clerk