

**Township of Homestead
County of Benzie, State of Michigan
Ordinance No. 19-6-05
Adopted: 05/06/2019
Effective:**

Prohibition of Recreational Marihuana Establishments Ordinance

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of the Township of Homestead pursuant to Initiated Law 1 of 2001, MCL 333.27951 *et seq.* as maybe amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

**The Township of Homestead
Benzie County, State of Michigan
Ordains:**

Section 1. Title

This ordinance shall be known and may be cited as the Homestead Township Prohibition of Recreational Marihuana Establishments Ordinance.

Section 2. Definitions

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2019, MCL 333.27951 *et seq.*, as may be amended.

Section 3. No Marihuana Establishments

Homestead Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951 *et seq.*, as may be amended.

Section 4. 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. Each day during which any violation continues shall be deemed a separate offense. 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 enforcement of this ordinance.

3. 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. This ordinance shall be administered and enforced by the Zoning Administrator or Township Supervisor, and local law enforcement or by such other person(s) as designated by the Township Board from time to time.

Section 5. 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 6. Repeal

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Effective Date

This Ordinance shall take effect 30 days from publication.