

BENNINGTON TOWNSHIP

PROHIBITION OF RECREATIONAL MARIJUANA ESTABLISHMENTS ORDINANCE

ORDINANCE NO. 2019 - 09 - 01

An ordinance to provide a title for the ordinance; to define words; to prohibit marijuana establishments within the boundaries of **Bennington Township**, pursuant to initiated Law 1 of 2018, MCL 333.27951; 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.

SECTION I

TITLE

This ordinance shall be known as and may be cited as the **BENNINGTON 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

BENNINGTON TOWNSHIP hereby prohibits all marijuana establishments within the boundaries of the Township pursuant to initiated Law 1 of 2018, MCL 333.27951 *et seq.*, as may be amended.

Filed

SEP 17 2019

Caroline D. Wilson
Clerk of Shiawassee Co. Michigan

SECTION IV

VIOLATIONS AND PENALTIES

1. Any person who 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 offence.
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 Ordinance Enforcement Officer of the Township or by such other person (s) as designated by the Township Board from time to time.

SECTION V

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section, 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 VI

REPEAL

All ordinance or parts of ordinance in conflict herewith are hereby repealed.

SECTION VII

EFFECTIVE DATE

This Ordinance shall take effect October, 15, 2019.

BENNINGTON TOWNSHIP

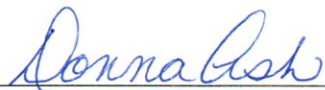
Donna Ash, Clerk
Donna Ash

September 4, 2019

I do certify that the foregoing Ordinance was published on the 15th day of September, 2019 in *The Independent*; and that the foregoing Ordinance was filed with the Shiawassee County Clerk's Office on the 17 day of September, 2019; and that the following Board Members voted thereon as follows for adoption.

	<u>Yes</u>	<u>No</u>
Leonard Ash	X	
Donna Ash	X	
Matthew Dutcher	X	
James Forsythe	X	
Nancy Zdunic	X	

IN WITNESS WHEREOF, I have hereunto affixed my official signature the 17 day of September, 2019.



Donna Ash
Bennington Township Clerk