

**YORK CHARTER TOWNSHIP
NOTICE OF PUBLICATION BY POSTING**

At a Regular Meeting of the York Charter Township Board of Trustees held April 9, 2019, an Ordinance to Prohibit Marijuana Establishments was introduced & presented for 1st reading and was approved. Consideration for 2nd reading & adoption of this Ordinance will be part of the agenda at the next regularly scheduled meeting of the York Township Board.

Publication of the proposed Ordinance was made by posting and a copy may be reviewed & inspected at the York Township Clerk's Office, 11560 Stony Creek Road, Milan, MI 48160, and on the Township's website, www.twp-york.org pursuant to Section 8 of the Charter Township Act, being MCL 42.8.,3(b).

Helen Neill, Clerk, Posted: May 1, 2019; Published: May 2, 2019

**CHARTER TOWNSHIP OF YORK
WASHTENAW COUNTY, MICHIGAN
PROHIBITION OF MARIJUANA ESTABLISHMENTS**

ORDINANCE No. _____

EFFECTIVE DATE: _____, 2019

AN ORDINANCE TO PROHIBIT MARIJUANA ESTABLISHMENTS WITHIN THE BOUNDARIES OF YORK TOWNSHIP PURSUANT TO INITIATED LAW 1 OF 2018, MCL 333.27951, ET SEQ., AS MAY BE AMENDED; TO PROVIDE PENALTIES FOR VIOLATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND TO PROVIDE AN EFFECTIVE DATE.

THE CHARTER TOWNSHIP OF YORK, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1. TITLE. This Ordinance shall be known and may be cited as the York Township Prohibition of Marijuana Establishments Ordinance.

Section 2. 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 3. PROHIBITION OF MARIJUANA ESTABLISHMENTS. York Charter Township hereby prohibits all marijuana establishments within the boundaries of the Township pursuant to authority granted under Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

Section 4. VIOLATIONS AND PENALTIES. 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 responsible for violation of this Ordinance. A violation of this Ordinance is declared to be a nuisance per se. Any person or company who violates this Ordinance shall be charged with a municipal civil infraction citation and be subject to a fine of not less than \$500 nor more than \$1,000, 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 remedies as provided by law. In addition, a person who violates this Ordinance shall pay the Township's enforcement costs which may include all expenses, direct and indirect, which the Township incurs in connection with enforcement. Pursuant to MCL §600.873, unpaid fines and costs shall become a lien upon the property where the violation is located, and such lien may be enforced and discharged as provided by law or in accordance with an ordinance of the Township adopted and made effective to enforce such liens.

Each day that a violation continues shall be deemed a separate offense for which a separate penalty and costs may be imposed. In addition to fines and costs, the Township may seek injunctive and such other relief as may be provided by law.

This Ordinance shall be administered and enforced by the Township Building and/or Zoning Administrator or by such other person (s) as may be 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 this Ordinance which shall continue in full force and effect.

Section 6. REPEALER AND SAVINGS CLAUSE. The enactment of this Ordinance hereby repeals and replaces any other ordinance or parts of ordinances in conflict with any provisions of this Ordinance. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation or prosecution of any right established, occurring prior to the effective date hereof.

Section 7. PUBLICATION AND EFFECTIVE DATE.

The Township Clerk shall cause this Ordinance to be published in the manner required by law. This Ordinance shall be effective as of the date of final publication of the Ordinance.