



RESOLUTION #181201

**TOWNSHIP OF TYRONE
COUNTY OF LIVINGSTON, STATE OF MICHIGAN**

**PROHIBITION OF MARIHUANA ESTABLISHMENTS
ORDINANCE NO. 48**

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Tyrone Township pursuant to Initiated Law 1 of 2018, MCL 333.27951 *et. seq.*, as may be 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 TYRONE
LIVINGSTON COUNTY, MICHIGAN
ORDAINS:**

SECTION I TITLE

This ordinance shall be known as and may be cited as the Tyrone Township Prohibition of Marihuana 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 MARIHUANA ESTABLISHMENTS**

Tyrone 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 IV
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 subjects the violator to enforcement provisions as set forth in Tyrone Township Enforcement Ordinance, Ordinance 22. The Tyrone Township Enforcement Ordinance provides for a maximum penalty of 90 days in jail. A violation is further punishable by a fine of not 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 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 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 VI
REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII
EFFECTIVE DATE

This ordinance shall take effect January 8, 2019.

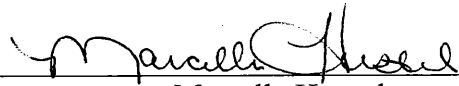
RESOLVED BY: Trustee Walker
SUPPORTED BY: Trustee Pool

VOTE: Pedersen, yes; Cunningham, yes; Walker, yes; Eden, yes; Husted, yes; Pool, yes; Schultz, absent.

ADOPTION DATE: December 4, 2018
PUBLICATION DATE: December 9, 2018
EFFECTIVE DATE: January 8, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of the Prohibition of Marihuana Establishments Ordinance No. 48 adopted by the Township Board at a regular meeting, held on December 4, 2018, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk