

**CHARTER TOWNSHIP OF AUGUSTA
COUNTY OF WASHTENAW, STATE OF MICHIGAN**

ORDINANCE NO. 2018-04

ADOPTED: January 8, 2019

EFFECTIVE: January 14, 2019

**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 Augusta Charter Township pursuant to Initiated Law 1 of 2018, MCL Proposal 1, *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 CHARTER TOWNSHIP OF AUGUSTA
WASHTENAW COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
TITLE**

This ordinance shall be known as and may be cited as the Augusta Charter 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 Proposal 1, *et seq.*, as may be amended.

**SECTION III
NO MARIHUANA ESTABLISHMENTS**

Augusta Charter Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL Proposal 1, *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 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 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**

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.

This Ordinance was duly adopted by the Augusta Charter Township Board at its regular meeting called and held on the 8th day of January 2019 at 7:00 p.m. and was ordered given publication in the manner required by law.

Brian Shelby, Supervisor
Charter Township of Augusta

First Reading: November 26, 2018

First Publication: December 2, 2018

Adoption: January 8, 2019

Final Publication and Effective Date: January 13, 2019/January 14, 2019

2018-04 Ordinance to Prohibit Recreational Marihuana Establishments

FINAL

CERTIFICATE


I, Belynda Domas, Clerk of the Charter Township of Augusta, Washtenaw County, Michigan, hereby certify that the foregoing constitutes a true and complete copy of Augusta Charter Township Ordinance No. 2018-04, which was duly adopted by the Township Board of Augusta Charter Township at a Regular Meeting of said Board, held on January 8, 2019, after said ordinance had previously been introduced at a Regular Meeting of the Board held November 26, 2018, and published in the form it was introduced in accordance with P.A. 359 of 1947, as amended.

I further certify that Member Chie moved for the adoption of said Ordinance, and that Member Ortiz supported said motion.

I further certify that the following Members voted for adoption of said Ordinance; Burek, Chie, Knick and Ortiz, and that No Member voted against adoption of said Ordinance and that Members Domas, Howard and Shelby were absent or abstained from voting on the adoption of said Ordinance as indicated.

I further certify that after its passage the Ordinance was published in the Ann Arbor News on January 13, 2019, in accordance with P.A. 359 of 1947, as amended.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.



Belynda Domas, Clerk
Charter Township of Augusta

1/14/19

Dated: 1/14/19