

**TOWNSHIP OF CHIKAMING
BERRIEN COUNTY, MICHIGAN**

ORDINANCE NO. 142
Adopted: December 13, 2018

AN ORDINANCE TO PROVIDE A TITLE FOR THE ORDINANCE; TO DEFINE WORDS; TO PROHIBIT MARIHUANA ESTABLISHMENTS WITHIN THE BOUNDARIES OF CHIKAMING 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 CHIKAMING, BERRIEN COUNTY, MICHIGAN ORDAINS:

**SECTION I
TITLE**

This ordinance shall be known as and may be cited as the Chikaming 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 ESTABLISHMENT**

Chikaming 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 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 Police Department of the Township or by such other person (s) as designated by the Township Board from time to time.

SECTION V SEVERABILITY

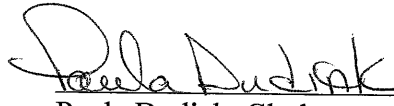
The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION VI CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.


SECTION VII Adoption

This ordinance was enacted on the 13th day of December, 2018, by the Township Board of Chikaming Township, Berrien County, Michigan, and ordered to take effect on the 28th day of January, 2019, the same being more than thirty (30) days after the date of publication.



Paula Dudiak, Clerk
Township of Chikaming

Attest:



David A. Bunte, Supervisor
Township of Chikaming

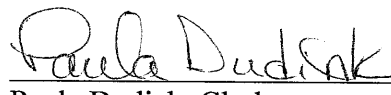
CERTIFICATION

I do hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 142, duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a regular meeting held on the 13th day of December, 2018. I further certify that Marske moved the adoption of said ordinance and Sullivan supported said motion. The names and the members of the Township Board and their vote on the foregoing ordinance were as follows:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Sullivan	<u> X </u>	_____	_____	_____
Marske	<u> X </u>	_____	_____	_____
Rettig	<u> X </u>	_____	_____	_____
Dudiak	<u> X </u>	_____	_____	_____
Bunte	<u> X </u>	_____	_____	_____

I further certify that the aforesaid ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 18th day of December, 2018, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that the foregoing ordinance was published in full in the Harbor Country News, a newspaper circulated in the Township of Chikaming, Berrien County, Michigan, on the 28th day of December, 2018.

Dated: December 18th, 2018



 Paula Dudiak, Clerk
 Township of Chikaming