

Charter Township of Elmwood  
County of Leelanau, State of Michigan  
Ordinance No. 2019-01  
Adopted: 2-11-2019  
Effective: 4-20-2019

**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 the Charter Township of Elmwood pursuant to Initiated Law 1 of 2001, 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 Charter Township of Elmwood  
Leelanau County, State of Michigan  
Ordains:

**Section 1. Title**

This ordinance shall be known as and may be cited as the Elmwood Township Prohibition of Marihuana Establishments Ordinance.

**Section 2. Definitions**

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2019, MCL 333.27951 *et seq.*, as may be amended.

**Section 3. No Marihuana Establishments**

Elmwood 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 4. 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. Each day during which any violation continues shall be deemed a separate offense. 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 enforcement of this ordinance.
3. 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.
4. This ordinance shall be administered and enforced by the Zoning Administrator or Township Supervisor or by such other person(s) as 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 such ordinance which shall continue in full force and effect.

Section 6. Repeal

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Effective Date

This Ordinance shall take effect 30 days from publication.

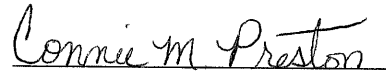
CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance #2019-1, first presented to the Township Board on January 14, 2019 followed by publication in the Leelanau Enterprise on February 28, 2019.

I further certify that the Ordinance was duly adopted by the Township Board at a regular meeting held on February 11, 2019. The approved ordinance was published on March 21, 2019.

The effective date of the ordinance is April 20, 2019.

Dated April 4, 2019



Connie Preston, Clerk