

**TOWNSHIP OF ONTWA  
COUNTY OF CASS, STATE OF MICHIGAN**

**ORDINANCE NO. 2019-01-14.2**

**ADOPTED: January 14, 2019**

**EFFECTIVE: February 18, 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 Ontwa 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 ONTWA, CASS COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I  
TITLE**

This ordinance shall be known as and may be cited as the Ontwa 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**

Ontwa 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 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**

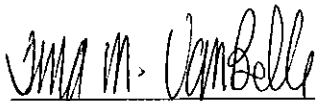
This ordinance shall take effect February 18, 2019.

Motion made by Trustee Kozinski seconded by Trustee Duck to adopt the foregoing resolution

Upon roll call vote, the following voted aye: Trustee Duck, Trustee Kozinski, Supervisor Marchetti, Clerk VanBelle, Trustee Stutsman

The following voted nay: Trustee Bolock, Treasurer Christensen

The Supervisor declared the motion carried and the resolution duly adopted the 14<sup>th</sup> day of January 2019.



ONTWA TOWNSHIP  
Tina VanBelle, Clerk  
26225 US 12 Edwardsburg, 49112

**PUBLIC NOTICE**

**TOWNSHIP OF ONTWA  
COUNTY OF CASS  
STATE OF MICHIGAN  
ORDINANCE NO.  
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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 Ontwa 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.

ORDAINS: THE TOWNSHIP OF ONTWA, CASS COUNTY, MICHIGAN

**SECTION I TITLE** This ordinance shall be known as and may be cited as the Ontwa 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** Ontwa 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.

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**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 February 18, 2019. The Supervisor declared the motion carried and the resolution duly adopted the 14th day of January 2019.

Tina VanBelle, Ontwa Township Clerk 26225 US 12 Edwardsburg, MI 49112

Edwardsburg Argus:  
Jan. 17, 2019  
**ORD. 2019-01-14.2**