

**BLOOMER TOWNSHIP
MONTCALM COUNTY, MICHIGAN**

ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS AND FACILITIES

Ordinance No. 19-01

At a meeting of the Bloomer Township Board, Montcalm County, Michigan, held at the Township Hall on February 18, 2019, at 8:00 p.m., Board Member Hummel moved to adopt the following Ordinance, whose motion was seconded by Board Member Chapko:

An Ordinance to prohibit marihuana establishments and facilities within the boundaries of Bloomer Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as amended and the Michigan Marihuana Facilities Licensing Act, Public Act 281 of 2016, as amended.

BLOOMER TOWNSHIP, MONTCALM COUNTY, MICHIGAN ORDAINS:

SECTION 1: TITLE. This Ordinance shall be known as and may be cited as the Bloomer Township Prohibition of Marihuana Establishments and Facilities Ordinance.

SECTION 2: DEFINITIONS. Words used within this Ordinance shall be construed to have the same meaning as provided in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as amended, MCL 333.27951 *et seq.* and/or the same meanings as provided in the Michigan Marihuana Facilities Licensing Act, Public Act 281 of 2016, as amended, MCL 333.27101 *et seq.*

SECTION 3: NO MARIHUANA ESTABLISHMENTS OR FACILITIES. All marihuana establishments and facilities are prohibited within the boundaries of Bloomer Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as amended and the Michigan Marihuana Facilities Licensing Act, Public Act 281 of 2016, as amended.

SECTION 4: VIOLATIONS AND PENALTIES.

- 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 a violation of this Ordinance. A violation of this Ordinance is deemed a nuisance per se.

- A violation of this Ordinance is a municipal civil infraction, punishable by a fine of \$5,000.00, along with any costs, direct or indirect expenses, or attorney fees the Township incurs in connection with the infraction. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this Ordinance and any other

relief available at law or equity.

- Each day during which any violation continues shall be deemed a separate offense.

- This Ordinance shall be administered and enforced by the Bloomer Township Code Enforcement Officer 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 ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: EFFECTIVE DATE. This Ordinance shall take effect 30 days after notice of its adoption is published in a local newspaper.

ROLL CALL VOTE:

YEAS: Hummel, Chapko, Scheinder, Todd, Ryan

NAYS: none

ABSENT/ABSTAIN: none

ORDINANCE DECLARED ADOPTED



Daniel Ryan, Bloomer Township Supervisor

CERTIFICATE

STATE OF MICHIGAN)
) ss
COUNTY OF MONTCALM)

I, Sarah Todd, Clerk of Bloomer Township, do hereby certify that the foregoing is a true and accurate copy of Ordinance No. 19-01, adopted by the Bloomer Township Board on February 18, 2019. A Notice of Adoption was duly published in the Carson City Gazette newspaper, a newspaper that circulates within Bloomer Township, on March 2, 2019. Within one (1) week after such publication, I recorded the Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the Ordinance,

the names of the members of the Township Board voting, and how each member voted. I filed an attested copy of the Ordinance with the Montcalm County Clerk on April 2, 2019.

Attested:



Sarah Todd, Bloomer Township Clerk

**BLOOMER TOWNSHIP, MONTCALM COUNTY, MICHIGAN
ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS AND
FACILITIES
ORDINANCE NO. 19-01
NOTICE OF ADOPTION**

Please take notice that on February 18, 2019, the Township Board of Bloomer Township adopted Ordinance No. 19-01, which prohibits marihuana establishments and facilities within the Township. Copies of the Ordinance may be obtained from Sarah Todd, Bloomer Township Clerk, at 9890 Carson City Road, Carson City, MI 48811.

The Ordinance provides, in summary, for a prohibition on all marihuana establishments within the Township. The Ordinance has the following sections and catch lines: Section 1: Title; Section 2: Definitions; Section 3: No Marihuana Establishments or Facilities; Section 4: Violations and Penalties; Section 5: Severability; Section 6: Repeal; and Section 7: Effective Date, which is 30 days after this publication.

Published by Order of the Township Board
Bloomer Township, Montcalm County, Michigan
Sarah Todd, Township Clerk
(989) 584-3336

Publication Date: March 2, 2019