

**KAWKAWLIN TOWNSHIP  
BAY COUNTY, MICHIGAN**

**PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS  
ORDINANCE NO.**

An ordinance to provide a title for the ordinance; to define words; to prohibit recreational marihuana establishments within the boundaries of the Township of Kawkawlin pursuant to Initiated Law 1 of 2018, being 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 herewith; and to provide an effective date.

**THE TOWNSHIP OF KAWKAWLIN  
BAY COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I  
TITLE**

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

**SECTION II  
DEFINITIONS**

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, voted and approved by the electors on November 6, 2018 and MCL 333.27951 *et seq.*, incorporating into law the initiative described herein, as may be amended.

**SECTION III  
NO RECREATIONAL MARIHUANA ESTABLISHMENTS**

The Township of Kawkawlin hereby prohibits all recreational marihuana establishments within the boundaries within the township, regardless of the zoned district or classification, pursuant to Initiated Law 1 of 2018, MCL 333.27951 *et seq.*, as be amended.

**SECTION IV  
VIOLATIONS AND PENALTIES**

1. Any person who disobeys, neglects for refuses to comply with any provision of this ordinances 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 fine shall not be less than \$100 nor more than \$500 in the discretion of the civil infraction department or court. The foregoing sanctions shall be in addition to the rights of the township to proceed at law or equity with an 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 municipal civil infractions.

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.

**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, by a Court of competent jurisdiction, it should not affect the remainder of such ordinance, which shall continue in full force and effect.

**SECTION VI**  
**REPEALED**

All ordinances or part of ordinances in conflict are hereby repealed. It is specifically noted that Ordinance 102517 of the ordinances of the Township of Kawkawlin dealing with medical marihuana facilities is not conflict with this ordinance.

**SECTION VII**  
**EFFECTIVE DATE**

This ordinance shall be published in newspapers, circulated within the Township of Kawkawlin, Bay County, Michigan and shall be effective on the date of such publication.

**CERTIFICATION**

I, GREGORY PETRIMOULX, as Clerk for the Township of Kawkawlin, Bay County, Michigan, hereby certify the following relative to the foregoing Ordinance:

1. That the same was introduced by the Township of Kawkawlin Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.
2. That the same was published in a newspaper circulated within the Township of Kawkawlin, Bay County on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.
3. That the same was adopted by the Township of Kawkawlin Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.
4. That the same was published in a newspaper circulated within the Township of Kawkawlin, Bay County on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Dated: \_\_\_\_\_

\_\_\_\_\_  
GREGORY PETRIMOULX, Clerk

**AUTHENTICATION OF RECORD**

WE, SAMUEL DAVIDSON, Supervisor, and GREGORY PETRIMOULX, Clerk, for the Township of Kawkawlin, Bay County, Michigan, hereby authenticate the following relative to the foregoing ordinance:

1. That the same was adopted by the Township of Kawkawlin Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.
2. That the following members of the Township Board voted "yes" in favor of said Ordinance: \_\_\_\_\_  
\_\_\_\_\_.
3. That the following members of the Township Board voted "no" against said Ordinance: \_\_\_\_\_  
\_\_\_\_\_.
4. That the following members of the Township Board were absent: \_\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
SAMUEL DAVIDSON  
Supervisor

\_\_\_\_\_  
GREGORY PETRIMOULX  
Clerk