

VILLAGE OF FAIRGROVE
TUSCOLA COUNTY, MICHIGAN

ORDINANCE NO. 68

**PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS
ORDINANCE**

The Village of Fairgrove Ordains the following to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of the Village of Fairgrove 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.

VILLAGE OF FAIRGROVE

TUSCOLA COUNTY, MICHIGAN

THE VILLAGE OF FAIRGROVE ORDAINS:

SECTION I

TITLE

This ordinance shall be known as and may be cited as the Village of Fairgrove 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

The Village of Fairgrove hereby completely prohibits all marihuana establishments within the boundaries of the Village of Fairgrove 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, violates, 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.
1. A violation of this ordinance is a municipal civil infraction, for which the fines shall be not more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Village of Fairgrove to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay the Village of Fairgrove's costs which may include all expenses, direct and indirect which the

Village of Fairgrove incurs in connection with the municipal civil infraction, including but not limited to the attorney fee incurred by the Village of Fairgrove in connection with the municipal civil infraction.

1. Each day during which any violation of this Ordinance continues shall be deemed a separate offense.

1. In addition, the Village of Fairgrove may seek injunctive relief against a person or persons alleged to be in violation of this Ordinance, and such other relief as may be provided by law.

1. This Ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Village of Fairgrove or by such other person(s) as designated by the Village Council 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 on the date of its publication, which shall occur on May 6, 2019.

SECTION VIII

PUBLICATION

The village clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law.

ADOPTED: May 6, 2019

EFFECTIVE: May 6, 2019