

PERE MARQUETTE CHARTER TOWNSHIP

PROPOSED ORDINANCE NO. 142

MARIHUANA ESTABLISHMENTS ORDINANCE

AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE CODE OF ORDINANCES OF PERE MARQUETTE CHARTER TOWNSHIP, MASON COUNTY, MICHIGAN, TO PROHIBIT MARIHUANA ESTABLISHMENTS AND THE SALE AND CONSUMPTION OF MARIHUANA; AND TO ESTABLISH AN EFFECTIVE DATE.

THE CHARTER TOWNSHIP OF PERE MARQUETTE, COUNTY OF MASON, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Recreational Marihuana Matters. Article III is added to Chapter 22 of the Code of Ordinances to state in its entirety as follows.

ARTICLE III. RECREATIONAL MARIHUANA MATTERS

Sec. 22-50. Marihuana establishments.

Sec. 22-51. Prohibition of sale and consumption of marihuana in public places.

Sec. 22-50. Marihuana establishments.

- (a) Pursuant to the provisions of section 6.1 of the Michigan Regulation and Taxation of Marihuana Act (the "Act"), marihuana establishments, as defined by the Act, are completely prohibited within the boundaries of the township.
- (b) Any applicant for a state or local license to establish a marihuana establishment, as defined by the Act, within the boundaries of the township shall be deemed to be not in compliance with this section or with this Code.
- (c) This section does not supersede rights and obligations with respect to the transportation of marihuana through the township to the extent provided by the Act, and does not supersede rights and obligations under Michigan law allowing for or regulating marihuana for medical use.

Sec. 22-51. Prohibition of sale and consumption of marihuana in public places.

- (a) In conformance with Sections 4.1(e) and 6.2(b) of the Act, the sale or consumption of marihuana in any form and the sale or display of marihuana accessories, as defined by the Act, is prohibited in any public places within the boundaries of the township.
- (b) Any person who violates any of the provisions of this section shall be responsible for a municipal civil infraction.
- (c) This section does not supersede rights and obligations with respect to the transfer and consumption of marihuana on private property to the extent authorized by the person who owns, occupies, or operates such property, as provided in and authorized by the Act, and does not supersede rights and obligations with respect to the use of marihuana for medical purposes as provided by any law of the State of Michigan allowing for or regulating marihuana for medical use.

Section 2. Effective Date. This Ordinance was approved and adopted by the Township Board of the Charter Township of Pere Marquette, Mason County, Michigan, on _____, 2019, after a first reading and publication as required by Michigan law, and it is ordered to take effect 30 days after publication of its contents or a summary of its contents in the *Ludington Daily News*, a local newspaper of general circulation in the Township.

Paul Keson, Township Supervisor

Rachelle Enbody, Township Clerk