

CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN

NOTICE OF POSTING OF ORDINANCE ADOPTION

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF OSHTEMO, KALAMAZOO COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that on March 12, 2019, at a regular meeting of the Township Board of the Charter Township of Oshtemo, Kalamazoo County, Michigan, the Township Board adopted Ordinance No. 610, Prohibition of Marihuana Establishments Ordinance, and in accordance with Board policy, has determined the method of publication of its Ordinances will be by posting the Ordinance in the Office of the Township Clerk and on the Township's web page.

Ordinance No. 610, the Prohibition of Marihuana Establishments Ordinance, has been adopted by the Board which prohibits all marihuana establishments within the boundaries of Oshtemo Charter Township permitted pursuant to Initiated Law 1 of 2018.

PLEASE TAKE FURTHER NOTICE that the full text of the Ordinance has been posted for public inspection at the Township Hall located at 7275 West Main Street, Kalamazoo, Michigan, 49009, and on the Township's web page of www.oshtemo.org

PLEASE TAKE FURTHER NOTICE that said Ordinance will take effect upon publication after adoption in accordance with State law.

DUSTY FARMER, Clerk
Oshtemo Charter Township Hall
7275 West Main Street
Kalamazoo, MI 49009
Telephone: (269) 375-4260

CHARTER TOWNSHIP OF OSHTEMO ORDINANCE NO. 610

Adopted: March 12, 2019

Effective: March 21, 2019

An Ordinance to provide a title for the Ordinance; to define words; to prohibit marihuana establishments within the boundaries of Oshtemo Charter 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 severability; to repeal all Ordinance or parts of Ordinances in conflict therewith; and to provide an effective date.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN,
ORDAINS:

SECTION I. TITLE.

This Ordinance shall be known and cited as the “Oshtemo Charter 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.

Oshtemo Charter 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 Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION VII. EFFECTIVE DATE.

This Ordinance shall take effect upon publication. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP