

**ONEIDA CHARTER TOWNSHIP
EATON COUNTY, MICHIGAN**

ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS

Ordinance No. 2019-2

At a meeting of the Oneida Charter Township Board Township, Eaton County, Michigan, held at the Township Hall on April 9, 2019, at 7:00 p.m., Board Member James Green moved to finally adopt the following Ordinance, which motion was seconded by Board Member Barbara Campbell.

An Ordinance to prohibit marihuana establishments within the boundaries of Oneida Charter Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as amended.

ONEIDA CHARTER TOWNSHIP, EATON COUNTY, MICHIGAN ORDAINS:

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

SECTION 3: NO MARIHUANA ESTABLISHMENTS. All marihuana establishments are prohibited within the boundaries of Oneida Charter Township pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, as amended.

SECTION 4: 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 a violation of this Ordinance. A violation of this Ordinance is deemed a nuisance per se.

2. A violation of this Ordinance is a municipal civil infraction, punishable by a fine of \$5000.00, along with any costs, direct or indirect expenses, or attorney's fees that the Township incurs in connection with that 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.

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

4. This Ordinance shall be administered and enforced by the Oneida Charter 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: Melissa Goschka, Janet Schultz, Donald Cooley, James Green, Barbara Campbell, Jacqueline Kilgore

NAYS: Madelyne Lawry

ABSENT/ABSTAIN: none

ORDINANCE DECLARED ADOPTED

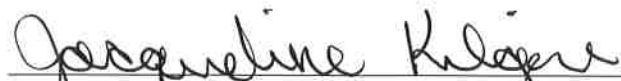


Donald Cooley, Oneida Township Supervisor

CERTIFICATE

STATE OF MICHIGAN)
) ss
COUNTY OF EATON)

I, the undersigned, the duly qualified and acting Clerk for Oneida Charter Township, Eaton County, Michigan, HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Oneida Charter Township Board at a meeting held on the 9 day of April 2019, and further certify that the proposed Ordinance was finally adopted at said meeting.



Jacqueline Kilgore, Oneida Charter Township Clerk

AFFIDAVIT OF POSTING AND PUBLICATION

I hereby certify that the above is a true copy of an Ordinance that was:

1. Introduced for publication and subsequent final adoption by the Oneida Charter Township Board at a duly scheduled and noticed meeting of that Township Board held on March 12, 2019;
2. Published by a summary once before its final adoption in the Grand Ledge Independent newspaper, a newspaper that circulates within Oneida Charter Township, on March 21 2019;
3. Posted at the Township Clerk's office and on the Township's website, www.oneidatownship.org on March 21, 2019;
4. Finally adopted by the Oneida Charter Township Board at a duly scheduled and noticed meeting of that Township Board held on April 9, 2019;
5. Published by summary again following its final adoption in the Grand Ledge Independent newspaper, a newspaper that circulates within Oneida Charter Township, on April 14, 2019;
6. Recorded within one (1) week after such publication 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; and
7. Filed as an attested copy with the Eaton County Clerk on April 10, 2019;
8. This Ordinance shall take effect 30 days after notice of its adoption is published in a local newspaper, May 14, 2019

ATTESTED:



Jacqueline Kilgore
Oneida Charter Township Clerk

**ONEIDA CHARTER TOWNSHIP, EATON COUNTY, MICHIGAN
ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS
ORDINANCE NO. 2019-2
NOTICE OF FINAL ADOPTION**

Please take notice that on April 9, 2019, the Township Board of Oneida Charter Township finally adopted Ordinance No. 2019-2, which prohibits marihuana establishments within the Township. Copies of the Ordinance may be obtained from Jacqueline Kilgore, Oneida Charter Township Clerk, at 11041 Oneida Road, Grand Ledge, MI 48837 and on the Township's website: www.oneidatownship.org.

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; 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
Oneida Charter Township, Eaton County, Michigan
Jacqueline Kilgore, Oneida Charter Township Clerk
517- 622-8078

Publication Date: April 14, 2019