

ORDINANCE #675

AN ORDINANCE TO AMEND THE MARQUETTE CITY CODE BY ADOPTING NEW CHAPTER FIVE; MARIHUANA, MARIHUANA ESTABLISHMENTS

The City of Marquette Ordains:

SECTION 1. Short Title:

This section shall be known as and may be cited as the “City of Marquette Prohibition of Marihuana Establishments Ordinance.” An Ordinance to prohibit marihuana establishments within the boundaries of the City of Marquette pursuant to the Michigan Regulation and Taxation of Marihuana Act and to provide penalties for violation of this ordinance, to provide for severability, and to provide an effective date.

Article I. Marihuana Establishments

Section 5.1 – Definitions.

Words used herein shall have the definitions as provided for in the Michigan Regulation and Taxation of Marihuana Act, as may be amended.

Section 5.2 Marihuana Establishments Prohibited.

The City of Marquette hereby prohibits all marihuana establishments within the boundaries of the City pursuant to Michigan Regulation and Taxation of Marihuana Act, Section 6.1, as may be amended.

Section 5.3 Violations and Penalties.

- 1) Any person who disobeys, neglects, or refuses to comply with any provision of this ordinance or who causes or 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 be \$500. The foregoing sanctions shall be in addition to the rights of the City to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expense, direct and indirect, which the City 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 City 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 5.4 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 2. Commission Review. The Marquette City Commission shall review this ordinance within sixty (60) days of the promulgation of final rules by the Michigan

Department of Licensing and Regulatory Affairs, pursuant to Section 8.1 of the Michigan Regulation and Taxation of Marihuana Act.

SECTION 3. Publication. This ordinance shall take effect on _____, but not before publication.

Frederick Stonehouse, Mayor

Kris M. Hazeres, City Clerk

Date Adopted: _____

Date Published: _____