

TOWNSHIP OF RAY
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 78

PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE

TITLE

AN ORDINANCE to prohibit marihuana establishments within the Township of Ray and repealing any and all ordinances and/or resolutions in conflict therewith.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF RAY,
MACOMB COUNTY, MICHIGAN, ORDAINS:

SECTION 1. SHORT TITLE

This Ordinance shall be known and cited as the Ray Township Prohibition of Marihuana Establishments Ordinance.

SECTION 2. PURPOSE

The purpose of this Ordinance is to exercise the Township of Ray's authority pursuant to the Michigan Regulation and Taxation of Marihuana Act, MCL _____, *et. seq.* ("Act") to prohibit the establishment and/or operation of any and all marihuana establishments, as defined by the Act, within the Township of Ray.

SECTION 3. ENABLING AUTHORITY

This Ordinance is adopted pursuant to, and in accordance with Section 6(1) of the Act adopted by the voters of the State of Michigan on Tuesday, November 6, 2018.

SECTION 4. MARIHUANA ESTABLISHMENTS PROHIBITED

It shall be unlawful to operate a marihuana establishment within the boundaries of the Township of Ray. The term marihuana establishment shall include, but not be limited to:

- A. Marihuana microbusinesses;
- B. Marihuana retailers;
- C. Marihuana processors;
- D. Marihuana secure transporters;
- E. Marihuana safety compliance facilities;
- F. Marihuana growers (a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments);
- G. All marihuana related businesses licensed by the State pursuant to the Act.

SECTION 5. VIOLATION; PENALTY

Any individual or entity that violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a penalty not to exceed five hundred (\$500) dollars or imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

Any violation of this Ordinance shall also constitute a nuisance per se and the Township shall have the right to seek abatement of the violation at law or in equity.

SECTION 6. REPEAL OF CONFLICTING PROVISIONS

All resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 7. SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 8. PUBLICATION

This Ordinance or summary thereof shall be published in a newspaper of general circulation within the Township of Ray within fourteen (14) days after adoption by the Township Board of Trustees.

SECTION 9. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after the date of publication as set forth in Section 8.

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Ray, Macomb County, Michigan, at a meeting held on November 20, 2018.

I hereby further certify that the following Township Board members were present at the meeting: Jarzyna, Stier, Bohm and Grader and the following Township Board Member was absent: Lascoe.

I further certify that Member Bohm moved for the adoption of the Ordinance, and that motion was supported by Member Stier.

I further certify that the following Ray Township Board Members voted for the adoption of the Ordinance: Bohm, Stier, Grader and Jarzyna and that the following Ray Township Board members voted against adoption of the Ordinance: None.



Lori R. Lascoe,
Ray Township Clerk

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Ray, do hereby certify that on Wednesday, November 28, 2018, a Summary of the Ordinance adopted was duly published in a newspaper having general circulation within the Township.



Lori R. Lascoe,
Ray Township Clerk

**SUMMARY OF ORDINANCE ADOPTED
BY RAY TOWNSHIP PROHIBITING MARIHUANA ESTABLISHMENTS**

PLEASE take notice that on November 20, 2018, the Ray Township Board of Trustees adopted an Ordinance, Ordinance No. 78 prohibiting marihuana establishments within the Township of Ray. The Ordinance provides that it shall be unlawful to operate a marihuana establishment within the boundaries of the Township of Ray.

The Ordinance will be effective 30 days from the date of this publication. A true copy of the Ordinance is on file at the offices of the Township Clerk located at 64255 Wolcott Rd., Ray, MI 48096, and is available for public examination or purchase Monday-Thursday, 8:30 a.m.- 4:30 p.m..



Lori R. Lascoe,
Ray Township Clerk

