

ORDINANCE NO. 2-1600

AN ORDINANCE TO PROHIBIT RECREATIONAL MARIJUANA ESTABLISHMENTS WITHIN
THE BOUNDARIES OF THE CITY OF ISHPEMING

An ordinance to prohibit marijuana establishments within the boundaries of the City of Ishpeming pursuant to Initiated Law 1 of 2018, and to provide penalties for violation of this ordinance, to provide for severability, and to repeal all ordinances or parts of ordinances in conflict therewith, and to provide an effective date.

THE CITY OF ISHPEMING ORDAINS:

Section I: Title

This ordinance shall be known as and may be cited as the City of Ishpeming Prohibition of Marijuana Establishments Ordinance.

Section II: Definitions

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, as may be amended.

Section III: No Marijuana Establishments

The City of Ishpeming ordains that pursuant to the Michigan Regulation and Taxation of Marijuana Act, Section 6.1, the City elects to prohibit marijuana establishments within its boundaries.

Section IV: 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 expenses, 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 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.

This ordinance is adopted as an emergency ordinance and shall take effect upon legal publication.

Adopted: December 5, 2018