

TOWNSHIP OF CAMPBELL
COUNTY OF IONIA, MICHIGAN

At a regular meeting of the Township Board of the Township of Campbell, held in the Township Hall, 331 S. Main St., Clarksville, Michigan, on the 11th day of July, 2019, at 7 p.m.

PRESENT: Members: Thompson - Jackson - Ludema - Willis

ABSENT: Members: Faruch

The following ordinance was offered by Member Jackson and supported by Member Willis:

ORDINANCE NO. 26 -2019

**AN ORDINANCE TO COMPLETELY PROHIBIT THE ESTABLISHMENT OR
OPERATION OF RECREATIONAL MARIHUANA ESTABLISHMENTS
IN THE TOWNSHIP**

THE TOWNSHIP OF CAMPBELL ORDAINS:

Section 1. Marihuana Facilities/Establishments Prohibited. The establishment and/or operation of any and all types of a "marihuana establishment," as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act, is prohibited throughout the jurisdictional boundaries of Campbell Township. This prohibition includes, but is not limited to, the following types of marihuana establishments:

- A. Marihuana grower.
- B. Marihuana safety compliance facility.
- C. Marihuana processor.
- D. Marihuana microbusiness.
- E. Marihuana retailer.
- F. Marihuana secure transporter.
- G. Any other type of marihuana-related business that is subject to licensing by the state department of licensing and regulatory affairs ("LARA") under Michigan Initiated Law 1 of 2018 or the rules promulgated thereunder.

Section 2. Rights Under MMMA Not Impaired. This Ordinance does not limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008, MCL 333.26421, *et seq.*

Section 3. Transportation of Marihuana. This Ordinance does not restrict or prohibit the transportation of marihuana through the Township by (a) a marihuana secure transporter who is licensed to operate in another municipality, or (b) a means otherwise authorized by state law.

Section 4. Violations; Injunctive Relief.

A. A violation of this Ordinance is hereby declared to be a nuisance per se. The Township may seek injunctive relief against a violator, in order to abate the violation or to seek such other relief provided by law. In a proceeding for injunctive relief, the violator shall be responsible for all costs, damages, expenses and attorney fees incurred by the Township and shall be subject to all other remedies provided to the Township by law.

B. 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.

C. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township, the Township Supervisor, or by such other person (s) as designated by the Township Board from time to time.

Section 5. Severability. Each portion of this Ordinance shall be deemed to be severable. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional, invalid, or unenforceable, such holding shall not affect the validity or enforceability of this Ordinance as a whole, or of any other part hereof.

Section 6. Repeal. All ordinance or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Publication and Effective Date. This ordinance shall be effective 30 days after its publication or 30 days after the publication of a summary of its provisions in a local newspaper of general circulation in the Township.

AYES: Members: Thompson, Jackson, Willison, Ludema

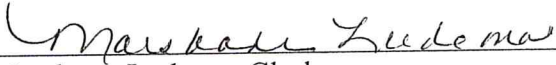
NAYS: Members: _____

ORDINANCE DECLARED ADOPTED.

Marshann Ludema
Marshann Ludema, Clerk
Township of Campbell

STATE OF MICHIGAN)
) ss.
COUNTY OF IONIA)

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Campbell at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Marshann Ludema, Clerk
Township of Campbell