

GRAND HAVEN CHARTER TOWNSHIP
NOTICE OF PROPOSED ORDINANCE

NOTICE IS HEREBY GIVEN that Ordinance 572 has been adopted by the Charter Township of Grand Haven, Ottawa County, Michigan:

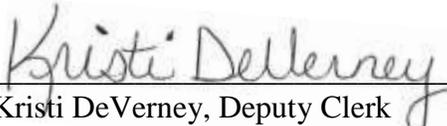
ORDINANCE NO. 572

AN ORDINANCE TO AMEND THE DRUG PARAPHERNALIA ORDINANCE;
TO PROHIBIT MARIHUANA ESTABLISHMENTS; TO PROHIBIT THE SALE
AND CONSUMPTION OF MARIHUANA IN PUBLIC PLACES; TO
PRESCRIBE PENALTIES FOR THE VIOLATION OF THIS ORDINANCE;
AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

The newly adopted Ordinance has been posted at the office of the Township Clerk, 13300 - 168th Avenue, Grand Haven, Michigan and on the Township's web site: www.ghc.org.

The Ordinance was adopted at a regular meeting of the Township Board held on January 14, 2019.

Copies of the adopted Ordinance are available upon request at the office of the Township Clerk.



Kristi DeVerney, Deputy Clerk
Grand Haven Charter Township

Posted Legal Ad: January 18, 2019

35.0650

**DRUG PARAPHERNALIA AMENDMENT
AND MARIHUANA REGULATION ORDINANCE
CHARTER TOWNSHIP OF GRAND HAVEN, MICHIGAN**

AN ORDINANCE TO AMEND THE DRUG PARAPHERNALIA ORDINANCE;
TO PROHIBIT MARIHUANA ESTABLISHMENTS; TO PROHIBIT THE SALE
AND CONSUMPTION OF MARIHUANA IN PUBLIC PLACES; TO
PRESCRIBE PENALTIES FOR THE VIOLATION OF THIS ORDINANCE;
AND TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

GRAND HAVEN CHARTER TOWNSHIP, COUNTY OF OTTAWA, STATE OF
MICHIGAN, ORDAINS:

35.0651 Sec. 1 DRUG PARAPHERNALIA ORDINANCE AMENDMENT

The Township's Drug Paraphernalia Ordinance is repealed to the extent it is preempted by the Michigan Regulation and Taxation of Marihuana Act (the "MRTMA").

35.0652 Sec. 2 PROHIBITION OF MARIHUANA ESTABLISHMENTS

1. Pursuant to the provisions of Section 6.1 of the MRTMA, marihuana establishments, as defined by the MRTMA, are completely prohibited within the boundaries of the Township.
2. Any applicant for a state or local license to establish a marihuana establishment, as defined by the MRTMA, within the boundaries of the Township shall be deemed to be not in compliance with this Ordinance.
3. This Section does not supersede rights and obligations with respect to the transportation of marihuana through the Township to the extent provided by the MRTMA and does not supersede rights and obligations under Michigan law.

**35.0653 Sec. 3 PROHIBITION ON SALE AND CONSUMPTION OF
MARIHUANA IN PUBLIC PLACES**

1. In conformance with Sections 4.1(e) and 6.2(b) of the MRTMA, the sale or consumption of marihuana in any form and the sale or display of marihuana accessories, as defined by the MRTMA, is prohibited in any public places within the boundaries of the Township.
2. Any person who violates any of the provisions of this Section shall be responsible for a municipal civil infraction punishable by a civil fine of \$500, plus court-imposed costs.

3. This Section does not supersede rights and obligations with respect to the transfer and consumption of marihuana on private property to the extent authorized by the person who owns, occupies, or operates such property, as provided in and authorized by the MRTMA, and does not supersede rights and obligations with respect to the use of marihuana for medical purposes as provided by any law of the State of Michigan allowing for or regulating marihuana for medical use.

35.0654 Sec. 4 SEVERABILITY

This Ordinance and its various parts, sections, subsections, sentences, phrases, and clauses are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the Ordinance shall not be affected. The captions included at the beginning of each section are for convenience only and shall not be considered a part of this Ordinance.

35.0655 Sec. 5 REPEAL

All resolutions, ordinances, orders, or parts of any of them in conflict in whole or in part with any of the provisions of this Ordinance are, to the extent of such conflict, repealed.

35.0656 Sec. 6 ADMINISTRATIVE LIABILITY

No officer, agent, or employee of the Township or member of the Township Board shall be personally liable for any damage which may occur to any person or entity as a result of any act or decision performed in the discharge of duties and responsibilities pursuant to this Ordinance.

35.0657 Sec. 7 EFFECTIVE DATE

This Ordinance was approved and adopted by the Township Board on January 14, 2019, after introduction and a first reading on November 26, 2018, and publication after such reading as is required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on January 26, 2019.

Mark Reenders,
Township Supervisor

Laurie Larsen
Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Drug Paraphernalia Amendment and Marihuana Regulation Ordinance was adopted at a regular meeting of the Township Board held on January 14, 2019. The following members of the Township Board were present at that meeting: Behm, Kieft, Meeusen, Redick, Larsen, Reenders, and Gignac. The following members of the Township Board were absent: None. The Ordinance was adopted by the Township Board with members of the Board Larsen, Gignac, Kieft, Meeusen, Redick, Behm, and Reenders voting in favor and no members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on January 18, 2019.

Laurie Larsen, Clerk
Grand Haven Charter Township