

**CITY OF AU GRES
COUNTY OF ARENAC, STATE OF MICHIGAN
ORDINANCE NO. 49**

**ADOPTED: 1/2/2019
EFFECTIVE: 1/31/2019**

PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of the Au Gres City limits pursuant to Initiated Law 1 of 2018, MCL 333.27951, et seq, as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

**THE CITY OF AU GRES
ARENAC COUNTY, MICHIGAN
ORDINANCE**

SECTION 1

TITLE

This ordinance shall be known as and may be cited as the Au Gres City Prohibition of Marihuana Establishments Ordinance.

**SECTION II
DEFINITIONS**

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, et seq, as may be amended.

**SECTION III
NO MARIHUANA ESTABLISHMENTS**

Au Gres City hereby prohibits all marihuana establishments within the boundaries of the City pursuant to Initiated Law 1 of 2018, MCL 333.27951, et seq, as may be amended.

**SECTION IV
VIOLATIONS AND PENALTIES**

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes 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 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 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 person alleged to be in violation of this ordinance, and such other relief as may be provided by law.
5. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the City or by such other person (S) as designated by the City Council from time to time.

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.

SECTION VI

REPEAL

All ordinance or parts of ordinance in conflict herewith are hereby repealed.

SECTION VII

EFFECTIVE DATE

This ordinance shall take effect January 31, 2019.

LaVonne Pritchard
City Clerk
City of Au Gres