

**TOWNSHIP OF MENTOR
COUNTY OF OSCODA, STATE OF MICHIGAN**

ORDINANCE NO. 2019-1

ADOPTED: May 20, 2019

EFFECTIVE: June 20, 2019

**PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS
ORDINANCE**

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of the Township of Mentor 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 TOWNSHIP OF MENTOR

OSCODA COUNTY, MICHIGAN

ORDAINS:

**SECTION I
TITLE**

This ordinance shall be known as and may be cited as the Mentor Township Prohibition of Marihuana Establishments Ordinance.

**SECTION II
DEFINITIONS**

A. "Marihuana establishment" means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by the Michigan Department of Licensing and Regulatory Affairs.

B. "Marihuana grower" means a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

C. "Marihuana microbusiness" means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

D. "Marihuana processor" means a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer

marihuana to marihuana establishments.

E. "Marihuana retailer" means a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

F. "Marihuana secure transporter" means a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

G. "Marihuana safety compliance facility" means a person licensed to test marihuana, including certification for potency and the presence of contaminants.

SECTION III **NO MARIHUANA ESTABLISHMENTS**

Mentor Township hereby prohibits all Marihuana Establishments within the boundaries of the Township 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.

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 Mentor 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.

3. Each day during which any violation continues shall be deemed a separate offense.

4. In addition, the Township may seek injunctive relief against persons 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 Township or by such other person (s) as designated by the Township Board 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

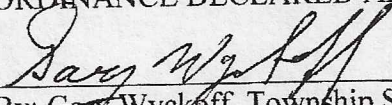
All ordinance or parts of ordinances in conflict herewith are hereby repealed.

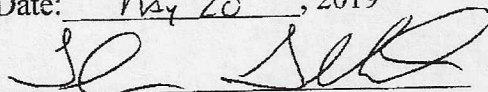
SECTION VII
EFFECTIVE DATE

This ordinance shall take effect 30 days after the first publication of the ordinance, which publication shall occur within 30 days after the passage of the ordinance.

Ayes: 4
Nays: 1
Absent: 0

ORDINANCE DECLARED ADOPTED.


By: Gary Wyckoff, Township Supervisor
Date: May 20, 2019


By: Thomas Galbraith, Clerk
Date: May 20, 2019