

ORDINANCE NO. 96

TOWNSHIP OF COVERT, COUNTY OF VAN BUREN, STATE OF MICHIGAN

ADOPTED: April 9, 2019

EFFECTIVE: May 10, 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 Covert Township 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 COVERT
VAN BUREN COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
TITLE**

This ordinance shall be known as and may be cited as the Covert Township 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.

A marihuana establishment is defined as an establishment that distributes or sells marihuana, or a place where marihuana is exchanged, sold, smoked.

**SECTION III
NO MARIHUANA ESTABLISHMENTS**

Covert 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. 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 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 May 10, 2019.

COVERT TOWNSHIP

By: _____
Daywi Cook, Clerk

CLERK'S CERTIFICATE

I, Wednesday Pritchard, the Clerk of Covert Township, Van Buren County, Michigan, do hereby certify that at a regular meeting of the Covert Township Board held on April 9, 2019, at the Covert Township Hall, at which the following members were present, the Board enacted and passed Ordinance No. 96 hereinbefore recorded, to become effective on the 10th day of May 2019.

Motion was offered by Palgen supported by Cook to adopt the Ordinance. The members of the board voted as follows:

Palgen - YES

Rendell - YES

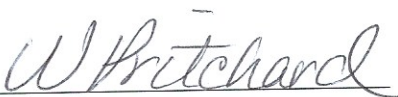
Cook - YES

Taylor - YES

Harrington- YES

I do further certify that in accordance with Township Board direction, a summary of the Ordinance was published in a newspaper of general circulation in Van Buren County, Michigan, and circulated in Covert Township on the 21st day of April 2019 including where the same could be examined or purchased and that said Ordinance No. 96 was recorded in this Ordinance Book on the 21st day of April 2019.

Dated: November 2, 2023



Wednesday Pritchard, Clerk
Covert Township