

**CITY OF EAST TAWAS MICHIGAN  
COUNTY OF IOSCO, STATE OF MICHIGAN**

**ORDINANCE NO. 351**

**ADOPTED: February 18, 2019**

**EFFECTIVE: March 11, 2019**

**PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE**

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments and retailers within the boundaries of the City of East Tawas pursuant to and in accordance with the Michigan Initiated Law 1 of 2018, 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 EAST TAWAS  
IOSCO COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**TITLE**

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

**SECTION II**

**DEFINITIONS**

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

**SECTION III**

**NO COMMERCIAL MARIHUANA ESTABLISHMENTS**

The City of East Tawas hereby prohibits all marihuana establishments and retailers within the boundaries of the City pursuant to Initiated Law 1 of 2018, being MCL §§ 333.27951 through 333.27967, 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 a 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, and as per the City Municipal Civil Infraction Ordinance. 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, including without limitation injunctive relief against persons alleged to be in violation of this ordinance. Additionally, the violator shall pay costs which may include all attorney's fees, court costs and associated expenses, 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. 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 ordinances in conflict herewith are hereby repealed.

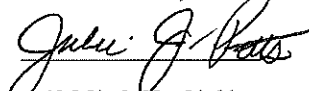
**SECTION VII**

**EFFECTIVE DATE**

This ordinance shall take effect March 11, 2019.

City of East Tawas

Julie J. Potts, Clerk

  
(989) 362-6161