

**ARTICLE 22**

**WHITEHALL TOWNSHIP GENERAL CODE**

TOWNSHIP OF WHITEHALL, COUNTY OF MUSKEGON, STATE OF MICHIGAN

**ADOPTED: JANUARY 28, 2019**

**EFFECTIVE: APRIL 1, 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 Whitehall 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 WHITEHALL  
MUSKEGON COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION 2201**

**TITLE**

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

**SECTION 2202**

**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 2203**

**NO MARIHUANA ESTABLISHMENTS**

Whitehall 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 2204**

**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 2205**  
**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.

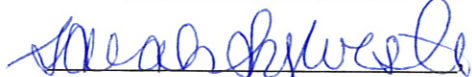
**SECTION 2206**  
**REPEAL**

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 2207**  
**EFFECTIVE DATE**

This ordinance shall take effect April 1, 2019.

WHITEHALL TOWNSHIP

 Clerk

1-28-19 Date



## CLERK'S CERTIFICATE OF ADOPTION

At a regular meeting of the Whitehall Township Board, held at the Whitehall Township Hall, 7644 Durham Road, Whitehall, MI 49461 commencing at 4:30 p.m. Monday, January 28, 2019 the Whitehall Township Board did, by affirmative vote, adopt the attached Article No. 22 of the General Code in its entirety.

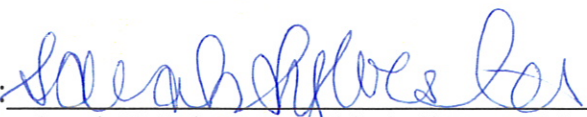
The motion for adoption was made by Dennis Kroll and seconded by June Lydens.

Upon a roll call vote the following voted:

Chuck Schmitigal	Aye
Sarah Sylvester	Aye
June Lydens	Aye
Dennis Kroll	Aye
Kelley Stinebower	Aye

The Supervisor declared the General Code Ordinance Amendment adopted. This amendment provision of the Whitehall Township General Code Ordinance shall take effect April 1, 2019.

*I, Sarah Sylvester, the duly elected and acting clerk of Whitehall Township, hereby certify that the foregoing Policy was adopted by the Whitehall Township Board. The meeting was held in accordance with the Open Meetings Act, being Act 267, Public Acts of Michigan. The above is a true and complete copy of the resolution passed at the meeting.*

Attested by:   
Sarah K Sylvester, Whitehall Township Clerk

1/28/2019  
Date

