

**TOWNSHIP OF WELLS**  
**Tuscola County, Michigan**  
**AMENDMENT**  
**ORDINANCE NO. 19-01**  
**~~ADOPTED: February 14, 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 Wells 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 WELLS**  
**TUSCOLA COUNTY, MICHIGAN**  
**ORDAINS:**

**SECTION I**  
**TITLE**

This ordinance shall be known as and may be cited as the Wells 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.

**SECTION III**  
**NO MARIHUANA ESTABLISHMENTS**

Wells 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~~ **\$500, in the discretion of the Court. Repeat offenses under this Ordinance shall be subject to increased fines as provided for in the Wells Township Civil Infraction Ordinance.** 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** **ENACTMENT AND EFFECTIVE DATE**

This ordinance was adopted by the Wells Township Board at a meeting duly held on the 14<sup>th</sup> day of October , 2021 and was published in the Tuscola County Advertiser on the 3<sup>rd</sup> day of November, 2021.

This Ordinance shall take effect thirty (30) days after the date of publication specified above.

Motion by Karen Varney, supported by Kristin Wright that the foregoing ordinance be adopted.

Roll call vote:

Karen Varney \_Y\_\_\_

Kristin Wright \_Y\_\_\_

Stefanie Bruce \_Y\_\_\_

Jim Hergenreder \_Y\_\_\_

Albert Pearsall III \_\_Y\_\_\_

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Kristin Wright, Clerk

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Karen Varney, Supervisor