

**VILLAGE OF MAYVILLE  
COUNTY OF TUSCOLA, STATE OF MICHIGAN**

**ORDINANCE NO. \_178\_**

**ADOPTED: May 21st, 2019**

**EFFECTIVE: \_August 1st, 2019**

**PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS  
ORDINANCE**

The Village of Mayville Ordains the following to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of the Village of Mayville 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.

**VILLAGE OF MAYVILLE  
TUSCOLA COUNTY, MICHIGAN**

**THE VILLAGE OF MAYVILLE ORDAINS:**

**SECTION I  
TITLE**

This ordinance shall be known as and may be cited as the Village of Mayville 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**

The Village of Mayville hereby completely prohibits all marihuana establishments within the boundaries of the Village of Mayville 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, violates, 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 be not more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Village of Mayville to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay the Village of Mayville's costs which may include all expenses, direct and indirect which the Village of Mayville incurs in connection with the municipal civil infraction, including but not limited to the attorney fee incurred by the Village of Mayville in connection with the municipal civil infraction.

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

4. In addition, the Village of Mayville may seek injunctive relief against a person or 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 Village of Mayville or by such other person(s) as designated by the Village 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 on the date of its publication, which shall occur on August 1st, 2019.

**SECTION VIII**  
**PUBLICATION**

The Village Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law.

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Made and passed by the Village of Mayville Council this 21st day of May, 2019.

BARBARA VALENTINE, Village of Mayville President

KAYLA REED, Village of Mayville Clerk

CERTIFICATION

Yeas: Barkowska, Marlow, Charette, Atkinson, Valentine

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Nays: NONE

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ORDINANCE DECLARED ADOPTED

STATE OF MICHIGAN)  
COUNTY OF TUSCOLA)

I, the undersigned, Village Clerk for the Village of Mayville, Tuscola County, Michigan, do hereby certify that Ordinance No. 178, adopted by the Village of Mayville Council on the 21st day of May, 2019, was recorded in full in the Minutes of the Meeting of said Village Council on said date, and was signed by the President and the Clerk of the Village of Mayville.

Dated: 5-21-2019

KAYLA REED, Village Clerk

Date of Publication: July 3<sup>rd</sup> 2019

Newspaper: Mayville Monitor