CITY OF GALESBURG  
COUNTY OF KALAMAZOO, STATE OF MICHIGAN  
ORDINANCE NO. 271  
ADOPTED: 5/06, 2019  
EFFECTIVE: 5/19, 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 City of Galesburg pursuant to Michigan 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 CITY OF GALESBURG ORDAINS:  

SECTION I  
TITLE  

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

SECTION II  
DEFINITIONS  

Words used herein shall have the definitions as provided for in Michigan Initiated Law 1 of 2018, MCL 333.27951, et seq., as may be amended.  

SECTION III  
NO MARIHUANA ESTABLISHMENTS  

The City of Galesburg hereby prohibits all marihuana establishments within the boundaries of the City pursuant to Michigan 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 City 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 City 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 City 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 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 10 days following its publication.

CERTIFICATE

I, Karen Bresson, Clerk of the City of Galesburg, do hereby certify that the foregoing Resolution was adopted by the Galesburg City Council at a regular meeting held on _May 6_, 2019, at 7:00 p.m. Upon motion of __Jim Nicolow__, supported by __Linda Marble__, the vote of said Resolution was as follows:

AYES    Smith, Pawlawski, Nicolow, Marble, Harmon, Wortinger, West
NAYS    None.
ABSTENTIONS    None.
ABSENT    None.

Karen Bresson
City Clerk