

Chapter 55

**MARIHUANA ESTABLISHMENTS
PROHIBITED**

§ Scope of Regulations.

§ Nuisance Per Se.

§ Violation; Penalty.

§ Separate Court Action.

§ Enforcement Officials.

[HISTORY: Adopted by the Village Council of the Village of Bellaire January 2, 2019 by Ord. No. 01-2019, effective January 22, 2019. Amendments noted where applicable.]

§55-1. Scope of Regulations.

Pursuant to the authority granted under Section 6.1 of the Michigan Regulation and Taxation of Marihuana Act, 2018 Initiated Law 1, § 6.1, MCL 333.27956, Subsection 1, the Village of Bellaire hereby completely prohibits any marihuana establishment, as that term is defined in Section 3(h) of the Michigan Regulation and Taxation of Marihuana Act, 2018 Initiated Law 1, § 3(h), MCL 333.27953(h), within its boundaries.

§55-2. Violation; Penalty.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

§55-3. Enforcement Officials.

The Village President, officers of the Bellaire Police Department, and any other person appointed by the Village Council are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

§55-4. Nuisance Per Se.

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.

§55-5. Separate Court Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.