

ARTICLE I.

IN GENERAL

Secs. 8-1--8-18. Reserved.

ARTICLE II.

PUBLIC NUISANCES*

* **State Law References:** Public nuisances and abatement, MCL 600.3801 et seq.

Sec. 8-19. Certain public nuisances defined and enumerated.

Whatever annoys, injures or endangers the safety, health, comfort or repose of the public, offends public decency, interferes with, obstructs or renders dangerous any street, alley, highway, navigable lake or stream, or in any way renders the public insecure in life or property, is hereby declared to be a public nuisance. Public nuisances shall include, but not be limited to, whatever is forbidden by any provision of this Code. No person shall commit, create or maintain any nuisance. In addition to those things which are elsewhere by provisions of this Code or any other ordinance of the village declared to be nuisances, it shall be a public nuisance for a person to do any of the following:

- (1) Create or release odors or smells that are offensive, unwholesome or disagreeable to the public;
- (2) Cause or suffer any animal or vegetable matter, garbage or other noisome substance to be deposited or to remain in the village so as to be offensive, unwholesome or disagreeable to the public;
- (3) No person shall drop, leave or scatter on any street in the village any sand, dirt, mud, gravel, brick, scrap material or any other material. All persons using trucks, trailers, wagons, or other vehicles to haul sand, dirt, mud, gravel, brick, scrap material or any other material shall not load the same above the top of the side or end boards of the vehicle. The body of any such vehicle used for such shall be constructed as to prevent the dropping, leaving or scattering of such materials;
- (4) Construction sites must be managed to prevent the deposition of sand, gravel and dirt in the streets. If material is deposited in the street, the contractor responsible must clean up all materials in the street prior to the end of the workday. If debris is not cleaned up, the village may have debris cleaned up with all costs incurred billed back to the permittee and/or revocation of such permit;
- (5) No person shall deposit, or cause to be deposited, any dirt or litter of any kind out of any building or private property upon any street or public way of the village. No person shall throw, or cause to be thrown, any wastewater, flammable liquids, oil or grease upon any street or public way. The village may have such dirt or litter removed with all costs billed to the property owner;
- (6) No person shall cause to be placed any grass clippings, leaves, lawn rakings, tree or brush trimmings, tree trunks, stumps, ashes, soil, dirt, or household debris in or on any street in the village. The village may have such removed with all costs billed to the property owner;
- (7) No person shall place or cause to be placed in or upon any street, alley or public way, any broken ware, glass, scrap metal or scrap material, kegs, barrels, cartons, boxes, crates excrement, sawdust, sticks, shavings, cans, trash, rubbish, refuse, or any offensive substance whatsoever. All garbage bags or cans shall not be stored on, in or by the road or public way unless it is the scheduled pick-

up day. All glass, trash, rubbish, refuse and small pieces of metal shall be so placed in receptacles that pieces or particles cannot drop out. The village may have such rubbish, trash and the like removed with all costs billed to the owner. Covered trash boxes may be allowed as long as they do not interfere with the flow of traffic and do not cause a hazard to public health and safety;

- (8) Place or caused to be placed any litter in any public place except for authorized trash receptacles;
- (9) Place or cause to be placed any litter into any body of water within the village;
- (10) Corrupt or obstruct any body of water within the village;
- (11) Construct or maintain any structure that is unsafe or injurious to public health or safety; or
- (12) Create or release any matter into the air that is unsafe or injurious to public health or safety.
- (13) No owner or occupant of any lot or parcel of land within the village shall allow or maintain on a portion of such lot or land any growth of brush, grass, or weeds or similar vegetation so as to create any unsightly, unhealthy, or unsafe condition. Brush, grass, or weed or similar vegetation in excess of ~~six (6)~~ eight (8) inches in height shall be presumed in violation of this section.
- (14) It shall be the duty of every person owning or occupying land within the village to destroy all noxious weeds before they reach a seed-bearing stage and to prevent their regrowth, or to prevent them from becoming a detriment to public health. Noxious weeds include all those as defined by Michigan law MCL 247.62 as well as milkweed, oxeye daisies or other unsightly or noxious weeds growing on land within the village.
- (15) Discharge of sump water.
 - a. Definitions. For the purpose of this section:
 1. Highway or street means the entire right-of-way of every public way open to travel.
 2. Sump means a pit or reservoir serving as a drain or receptacle for ground water.
 3. Sump pump means any pump or other device, including any and all piping, tubing, channels and any other drainage devices, employed for the removal of deposits of ground or drainage water away from the building.
 4. A storm drain is a means for conveying rainwater and/or similar discharges, but not sewage or industrial waste, to a point of disposal.
 - b. Discharge of sump water upon a highway or street or into storm drains.
 1. It shall be unlawful for any person to drain, empty or otherwise discharge ground water from a sump by use of a sump pump upon any highway or street within twenty (20) feet of the curb of any highway or street constructed with curb and gutter or within twenty (20) feet of the travel portion of any highway or street unless connected into a storm drain in such highway or street under permit from the authority having jurisdiction of such highway or street, or unless the flow is into an open roadside ditch along a highway or street permitted by the authority having jurisdiction of such highway or street.
 - c. Discharge systems: New construction:
 1. All sump pumps installed in dwellings or other storm drain, a natural watercourse or a ditch, swale or other approved facility which has been constructed for the purpose of receiving such discharge, must receive the approval of the village.

2. The connection between storm drains and sump pumps may be approved by the village.

d. Existing structure discharge systems:

1. Except as approved by the village, and subject to applicable law as between private property owners, the sump pump discharge from existing dwellings and buildings shall not flow or drain onto or in any way affect the property of adjacent property owners or interfere with the quiet enjoyment of land by adjacent property owners.

2. In the event that the discharge from a dwelling or building violates subsection (c), (1) or (d), (1) above the village may serve written notice upon the owner of the property setting forth such violation. The notice shall also set forth a demand that the violation be cured within 30 days. A violation may be cured by causing the sump pump to discharge into a dedicated public storm drain, a natural watercourse, or a ditch or swale or other approved facility which has been constructed for the purpose of receiving such discharge.

3. Prior to its installation, the proposed new location and manner of sump pump discharge must be approved by the village.

4. Whenever a storm drain is available or becomes available for connection, “any property owner with a sump pump or other water diversion, must use or connect to the available storm drain.” A storm drain shall be deemed “available” if there is a storm drain located in any street, easement or public way which abuts the property. In other cases, a storm drain shall be deemed “available” if a catch basin is located adjacent to the property or if a new storm drain, lateral or other drainage system is installed on any street, easement or public way which abuts the property. In the event an alternate means of diverting sump pump or other storm water is available and the alternate means does not adversely affect other property owners, the village or his designate may grant permission to the alternate means of diverting sump pump or other storm water. In no instance shall any sump pump or other storm water diversion system be connected to a sanitary sewer.

e. Severability

1. This ordinance and its various sections, provisions, or parts thereof are hereby declared to be severable, and should any portion hereof is adjudged invalid or unenforceable by a court of competent jurisdiction shall not affect or impair the remainder of the ordinance.

f. Conflicts

1. Any ordinance and provisions of ordinances in conflict herewith are hereby repealed.

g. Penalty for Violation

1. Any person, corporation, or other entity, including an officer, director or employer who violates any provision of this ordinance, or who shall fail to do what is required by the terms of the ordinance, is responsible for a municipal civil infraction and shall pay a civil fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) plus costs and attorney fees, and is subject to other sanctions as provided for under Chapter 87 of the Revised Judicature Act, P.A. 236 of 19651, being MCL Sec 600.8701 et. Seq., as amended.

Effective Date: This ordinance shall become effective within twenty (20) days from the date of adoption or the date of publication, whichever occurs first. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Sec. 8-20. Notice.

- (a) Whenever it comes to the attention of the village, its officers, agents or any private citizen that a violation of this article exists, the village shall issue a notice in writing to the person responsible for the violation, if known, and to the occupant of the land where the violation exists, if known, and to the owner of the property, if known, at the person's last known address, notifying the person of the existence of the violation. The person receiving notice will then have five days after receipt of such notice to correct the violation to the satisfaction of the village. Receipt will be deemed to have occurred on the day following mailing of the notice, unless that day is a Sunday or nationally recognized holiday. Every day that the violation continues after the five-day period shall constitute a separate and distinct violation under the provisions of this article.
- (b) It is the duty of the village to give notice, once each calendar year, to every owner or occupier of any land in the village whereon uncut weeds are growing or un-mowed grass is growing to cut the weeds or mow the grass. This notice shall be sent by regular mail to the owner, and to the occupant if the occupant is not the owner, and if the weeds are not cut or the grass is not mowed within seven days of the date of mailing, or if a written extension of this limit is not obtained from the village office, then the village or designee shall cause said weeds to be cut or said grass to be mowed.
- (c) Subsequent to the first notice and subsequent cutting or mowing, if the noxious weeds grow up again, or the un-mowed grass again reaches eight (8) inches, the village or designee shall again as many times as necessary, cause the weeds to be cut and/or grass to be mowed without any further notice, and same shall be the case even if the property owner or occupant has previously in the same year taken care of a violation themselves.
- (d) If the owner, occupier or person having charge of any land, shall refuse or neglect to comply with the notice to cut the weeds or mow the grass on or before the date stated in the notice, it shall be the duty of the village or designee, to cause all such grass and/or unsightly or noxious weeds to be cut down.
- (e) Assessment of costs:
All expenses of cutting grass and weeds, to include equipment usage, transportation, man-hours involved, and overhead, including any and all cost incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient to carry out the requirements of this Ordinance shall be paid by the owners of such land plus an administrative charge of fifteen (15%) percent, thereof per residential parcel, per cutting. After having a lot cut/mowed, the Village shall then submit a bill to the property owner for the cost of the moving/cutting. The minimum cost for the mowing/cutting will be \$100. If the property owner does not pay the bill within sixty days of the date of the invoice the cost of such payment shall be charged against the premises and it shall become a lien on the land or property assessed of the same character in effect as the lien created by general law for taxes, plus an additional delinquency fee of 10% per month until paid.

(Comp. Ords. amended 5-23-13; 1999, § 70.004; Ord. of 2-3-1915, § 4; Ord. of 6-7-1993, § 4)

Sec. 8-21. Removal.

- (a) The county sheriff, or other agent designated by the village council, shall have the right to enter private property at any reasonable hour of the day or night for the purpose of enforcing the provisions of this article. It shall be unlawful for any person to resist or attempt to prevent said officer from carrying out the purposes herein set forth.
- (b) The county sheriff or other agent shall be in possession of, while carrying out the duties above outlined, sufficient credentials identifying the county sheriff or other agent and a search warrant issued upon a showing of probable cause.
- (c) The county sheriff or other agent is empowered to perform the duties and functions, and is

hereby given the authority, of a regularly authorized and appointed police officer of the village in the enforcement of the provisions of this article.

- (d) The county sheriff or other agent is further authorized to prepare reasonable rules and regulations deemed necessary to carry out and enforce the provisions of this article, subject to the approval of the village council.
- (e) The county sheriff or other agent shall keep an accurate account of the expense incurred in enforcing this article with respect to each parcel of land entered upon and make a sworn statement of said account. The expense of enforcement by the village shall then be charged against the owner or person in charge of the land.

(Comp. Ords. 1999, § 70.005; Ord. of 2-3-1915, § 5; Ord. of 6-7-1993, § 5)

Sec. 8-23. An Ordinance Prohibiting Open Burning in the Village of Lyons

SECTION 1: PURPOSE

1.00 Purpose.

This ordinance is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of the Village of Lyons by regulating the air pollution and fire hazards of open burning and outdoor burning.

SECTION 2: APPLICABILITY

2.00 Applicability.

This ordinance applies to all outdoor burning and open burning within the Village of Lyons.

- 2.1.** This ordinance does not apply to grilling or cooking food using charcoal, wood, propane or natural gas in cooking or grilling appliances.
- 2.2.** This ordinance does not apply to burning for the purpose of generating heat in a stove, furnace, fireplace or other heating devices within a building used for human or animal habitation.
- 2.3.** This ordinance does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating construction or maintenance activities.

SECTION 3: SEVERABILITY

3.00 Severability

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

SECTION 4: DEFINITIONS

4.00 Definitions.

- 4.1.** "Campfire" means a small outdoor fire for recreation or cooking but not including a fire intended for disposal of waste wood or refuse.
 - (a) No recreational fire shall exceed a size of 3 feet by 3 feet on the ground.
- 4.2.** "Clean wood" means natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.
- 4.3.** "Construction and demolition waste" means building waste materials, including but not limited to waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging and rubble that results from construction, remodeling, repair and demolition operations on a house, commercial or industrial building or other structures.
- 4.4.** "Fire Chief" means the chief of the Lyons-Muir Lyons Township Fire Department or other person designated by the Fire Chief.
- 4.5.** "Municipality" means a county, township, city or village.
- 4.6.** "Outdoor burning" means open burning or burning in an outdoor wood-fired boiler or

patio wood burning unit.

- 4.7. "Open burning" means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney. This includes burning in a burn barrel.
- 4.8. "Outdoor wood-fired boiler" means a wood-fired boiler, stove or furnace that is not located within a building intended for habitation by humans or domestic animals.
- 4.9. "Patio wood-burning unit" means a chimenea, patio warmer, or other portable wood-burning device used for outdoor recreation and/or heating.
- 4.10. "Refuse" means any waste material except trees, logs, brush, stumps, leaves, grass clippings and other vegetative matter.

SECTION 5: GENERAL PROHIBITION ON OPEN BURNING and OUTDOOR BURNING.

5.00 General prohibition on outdoor burning and open burning and open burning and outdoor burning are prohibited in the Village of Lyons unless the burning is specifically permitted by this ordinance.

SECTION 6: OPEN BURNING OF REFUSE

6.00 Open burning of refuse.

- 6.1 Open burning of refuse from a commercial or industrial establishment is prohibited.
- 6.2 Open burning of the following materials is prohibited.
 - 6.2.1. Construction and demolition waste.
 - 6.2.2. Hazardous substances including, but not limited to batteries, household chemicals, pesticides, used oil, gasoline, paints, varnishes and solvents.
 - 6.2.3. Furniture and appliances.
 - 6.2.4. Tires.
 - 6.2.5. Any plastic materials including, but not limited to nylon, PVC, ABS, polystyrene, or urethane foam and synthetic fabrics, plastic films and plastic containers.
 - 6.2.6. Newspaper.
 - 6.2.7. Corrugated cardboard, container board, office paper.
 - 6.2.8. Treated or painted wood including, but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.

SECTION 7: OPEN BURNING OF TREES, LOGS, BRUSH, STUMPS, LEAVES AND GRASS

7.00 Burning of trees, logs, brush, stumps, leaves and grass

- 7.1 Open burning of leaves, grass clippings, trees, logs, brush and stumps is prohibited.
 - 7.2.1. Open burning for barbecue, gas and charcoal grills are allowed.
 - 7.2.2. Outdoor campfires and small bonfires for cooking, ceremonies, or recreation are allowed if the campfire is 25 feet from any structure or property line, shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.
 - 7.2.3. Except for barbecue, gas and charcoal grills, no burning shall be undertaken within 25 feet from any combustible material, combustible wall or partition, exterior window opening, exit access or exit.

SECTION 8: OUTDOOR WOOD BOILERS (OWB)

8.00 Outdoor wood-fired boiler (OWB).

- 8.1. The OWB must pass, or already have passed any required State of Michigan inspections.
- 8.2. The OWB must be placed in the rear yard or side yard of any property on which it is located.
- 8.3. The OWB must be placed at least 50 feet from any property line.
- 8.4. The OWB's chimney must be higher than the highest portion of any dwelling unit within 150 feet of the OWB, excluding the dwelling unit serviced by the OWB.
- 8.5. All OWB's shall be limited to use only natural untreated wood products or corn pellets as

fuel.

SECTION 9: PATIO WOOD-BURNING UNITS

9.00 A patio wood-burning unit may be installed and used in the Village of Lyons only in accordance

with all of the following provisions:

- 9.1. The patio wood-burning unit shall not be used to burn refuse.
- 9.2. The patio wood-burning unit shall burn only clean wood.
- 9.3. The patio wood-burning unit shall be located at least 50 feet from the nearest structure which is not on the same property as the patio wood-burning unit.
- 9.4. The patio wood-burning unit shall not cause a nuisance to neighbors.

SECTION 10: FIRE SUPPRESSION TRAINING

10.00 Fire suppression training.

Notwithstanding sections 5 and 6 of this ordinance, structures and other materials may be burned for fire prevention training only in accordance with all fire of the following provisions;

- 10.1. The burn must be exclusively for fire prevention training, the burning shall not be used as a means to dispose of waste material including tires and other hazardous materials.
- 10.2. Any standing structure that will be used in a fire suppression training must be inspected and should be inspected by a licensed asbestos inspector. A notification of this inspection must be submitted to the Michigan Department of Environmental Quality, Air Quality Division at least ten business days prior to burning a standing structure. The notification must be submitted using Form EQP5661 "Notification of Intent to Renovate/Demolish".
- 10.3. All asbestos must be removed prior to conducting the fire suppression training. If the structure is a residential dwelling, the owner may remove the asbestos or have it removed by a licensed abatement contractor. If it is a commercial building, all asbestos must be removed by a licensed abatement contractor.
- 10.4. A notification of the demolition must be submitted to the Michigan Department of Environmental Quality, Air Quality Division at least 10 business days prior to burning a standing structure. The notification must be submitted using Form EQP 5661 "Notification of Intent to Renovate/Demolish".
- 10.5. All ash and demolished materials shall be disposed of in an approved landfill or at an alternate location approved by the Michigan Department of Environmental Quality.
- 10.6. Asphalt shingles and asphalt or plastic siding shall be removed prior to the practice burn unless the Fire Chief determines that they are necessary for the fire practice.
- 10.7. At least seven days before a planned practice burn, residents within 2,000 feet of the site of the proposed burn shall be notified.
- 10.8. All fire suppression training should conform to the guidelines established by the National Fire Protection Association (NFPA) Standard on Live Fire Training Evolutions (NFPA1403).

SECTION 11: ENFORCEMENT AND PENALTIES

11.00 Enforcement and penalties.

- 11.1. The Fire Chief and the Ionia County Sheriff Department are authorized to enforce the provisions of this ordinance.
- 11.2. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this ordinance or fails to comply with a duly authorized order issued pursuant to this ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by civil fine determined in accordance with the following schedule:

	<u>Minimum Fine</u>	<u>Maximum Fine</u>
1st Offense within 3-year period	\$75.00	\$500.00

2nd Offense within 3-year period	\$150.00	\$500.00
3rd Offense within 3-year period	\$325.00	\$500.00
4th or More Offense within 3-year period*	\$500.00	\$500.00

* Determined on the basis of the date of commission of the offense(s).

11.3. The violator shall pay costs which may include all expenses, direct and indirect, which the Village of Lyons/the Lyons-Muir Lyons Township Fire Department has incurred in connection with the municipal infraction. Each day that a violation of this ordinance exists shall constitute a separate violation of this ordinance.

(approved 11-18-2013, eff. 1-1-2014)

Sec. 8-24 Noise

- a. It shall be unlawful between the hours of 12:00 a.m. and 7:00 a.m. Sunday through Thursday and 1:00 a.m. and 7:00 a.m. Friday and Saturday and holiday weekends for any person to make, create, maintain or permit any loud, unnecessary or unusual noise of such character intensity, or duration, either steadily or intermittently, at place which annoys, disturbs, endangers, or impairs the comfort, health, safety, welfare, enjoyment and peace and quiet of other persons in the vicinity.
 - b. It shall be unlawful at any time of the day or night to keep any animal, dog or bird which by causing frequent or long-continuing noise, or barking, cause a disturbance which annoys, disturbs, endangers, or impairs the comfort, health, safety, welfare, enjoyment and peace and quiet of other persons in the vicinity.
 - c. Operating any obstacle course for motor vehicles, motorcycles, boats, automobiles or vehicles, of any kind of nature in any area of the village where the noise emanating from it would be disturbing and upsetting to another person in the vicinity.
 - 1. A first violation of this ordinance shall be a civil infraction.
 - d. Penalty: Any person violating any provision of this Article shall be punished as a civil infraction.
 - 1. The fine for a first offense shall be not less than \$50.00, for a second offense not less than \$250.00, and for a third or subsequent offense not less than \$1,000, plus the costs of prosecution.
 - 2. Each day of continued violation shall constitute a separate offense
 - 3. In addition to the penalties provided by this section, the district court shall have the equitable jurisdiction to enforce any judgment, writ, or order necessary to enforce any provision of this code, including, but not limited to, abatement of the violating condition or the granting of any injunctive relief.
 - 4. Contested hearings under this section before the district court may be conducted as an informal hearing and as a formal hearing, as may be applicable, as provided by the Revised Judicature Act of 1961, Public Act 236 of 1961, as amended, M.C.L. §§ 600.101 et seq.
 - e. Exceptions -none of the above listed prohibitions shall apply to the following:
 - Any police vehicle, ambulance, fire engine or emergency vehicle while engaged in emergency activities;
 - Excavation or repair of bridges, streets or highways or other property by or on behalf of the State of Michigan, County Road Commission or other entity with jurisdiction of the same;
 - Farming;
 - Industrial activities conducted in a zoned industrial area; and
 - Warning devices emitting sound for warning purposes as authorized by law.
- (Comp. Ords. amended 10-19-2015 d, eff. 11-3-2015; Ord of 5-7-2014)

Sec 8-25 Hawking, Peddlers and Solicitors

Section I: Purpose

It shall be the purpose of this ordinance to provide for the regulation and permitting of door to door solicitation activities within the Village of Lyons.

Section II: Determination of Nuisance Activity

The practice of going in and upon private property in the Village of Lyons, Michigan, by solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise, not having been requested or invited to do so by the owner(s) or occupant(s) of said property for the purpose of solicitation of orders for the sale of goods, wares, and merchandise or disposing of and or peddling or hawking the same, is determined to be a nuisance if done without proper permit.

Section III: Permit Required

Any solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise shall secure a permit for such activity from the Village Clerk prior to conducting any solicitation activity in the Village.

Section IV: Application

Applicants for a permit to conduct solicitation activity under this section must file with the Village Clerk an application in writing, duplicated, on a form furnished by the Village Clerk which shall give the following information:

- A. Name of the applicant
- B. Permanent home address of applicant
- C. A brief description of nature of business and goods
- D. Name and address of employer
- E. Driver's License /ID
- F. Motor Vehicle Data

Section V: Application Fee

The fee shall not exceed \$25.00 per week or part thereof. Yearly permit fee shall be \$50.00.

Section VI: Penalties

Any solicitors, peddlers, hawkers, itinerant merchants or transient vendors who shall fail to first obtain a permit to conduct solicitation activity shall be upon conviction by guilty of a misdemeanor, and be subject to a fine of not less than \$25.00 nor more than \$100.00 together with the costs of prosecution thereof or by imprisonment in the County jail for a period not to exceed 90 days or both such fine and imprisonment at the discretion of the court.

Effective Date: This ordinance shall become effective within 20 days from the date of adoption or the date of publication, whichever occurs first. All ordinances or parts of ordinances in conflict herewith are hereby repealed. (approved 7-21-2014, eff. 7-21-14)

SEC. 8-26. PROHIBITION OF MARIHUANA ESTABLISHMENTS

- (a) Pursuant to the provisions of Section 6.1 of the Michigan Regulation and Taxation of Marihuana Act (the “Act”), marihuana establishments, as defined by the Act, are completely prohibited within the boundaries of the Village of Lyons.
- (b) Any applicant for a state or local license to establish a marihuana establishment, as defined by the Act, within the boundaries of the Village of Lyons shall be deemed to be not in compliance with this Ordinance or with the Code of Ordinances amended by this Ordinance.
- (c) This section does not supersede rights and obligations with respect to the transportation of marihuana through the Village to the extent provided by the Act, and does not supersede rights and obligations under the Michigan Medical Marihuana Act, the Medical Marihuana Licensing Act, 2016 PA 281, or any other law of the State of Michigan allowing for or regulating marihuana for medical use.

(approved 12/17/18, eff 12/28/18)

Secs. 8-27--8-45. Reserved.