

2018 ORDINANCE NO. 4

VILLAGE OF LYONS  
COUNTY OF IONIA, STATE OF MICHIGAN  
NOTICE OF ORDINANCE AMENDMENT

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE VILLAGE OF LYONS BY ADDING SECTION 8-26, OF CHAPTER 8 ARTICLE II OF SAID CODE AND BY ADDING A SECTION 14-30 OF CHAPTER 14, ARTICLE II OF SAID CODE

THE VILLAGE OF LYONS ORDAINS:

Section 1. Addition of Section 8-26 “Prohibition of Marihuana Establishments” to Chapter 8 “Environment”, Article II “Public Nuisances” is added to the Code of Ordinances of the Village of Lyons to read as follows:

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.

**Section 2. Addition of Section 14-30** “Prohibition on Sale and Consumption of Marihuana in Public Places” **to Chapter 14 Article II** “Use of Public Streets, Sidewalks and Rights-of-Way,” of the Code of Ordinance of the Village of Lyons to read as follows:

SEC. 14-30 PROHIBITION ON SALE AND CONSUMPTION OF MARIHUANA IN A PUBLIC PLACES

- (A) In conformance with Sections 4.1(e) and 6.2(b) of the Michigan Regulation and Taxation of Marihuana Act (the “Act”), the sale or consumption of marihuana in any

form and the sale or display of marihuana accessories, as defined by the Act, is prohibited in any public places within the boundaries of the Village.

(B) Any person who violates any of the provisions of this section shall be responsible for a municipal civil infraction punishable by a civil fine of \$500, plus court-imposed costs.

(C) This section does not supersede rights and obligations with respect to the transfer and consumption of marihuana on private property to the extent authorized by the person who owns, occupies or operates such property, as provided in and authorized by the Act, and does not supersede rights and obligations with respect to the use of marihuana for medical purposes as provided by any law of the State of Michigan allowing for or regulating marihuana for medical use.

**Section 3. Conflict and Repeal.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

**Section 4. Severability and Repeal.** If any portion of this Ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect.

**PUBLICATION AND EFFECTIVE DATE:** This ordinance must be published and recorded as provided in the village Charter and takes effect on the date of publication, but not less than twenty (20) days after its adoption by the Village Council.

Effective 12/28/18