

CITY OF HARTFORD
AN ORDINANCE TO REGULATE THE DISPENSING OF MEDICAL MARIJUANA
IN THE CITY OF HARTFORD
No. 307 - 10

The purpose of this Ordinance is to promote the public health and safety of the residents of the City of Hartford.

THE CITY OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1:

Any establishment that sells or dispenses medical marijuana shall comply with all State of Michigan laws.

Section 2:

No person other than a State of Michigan licensed Doctor of Chiropractic, Doctor of Dentistry, Doctor of Medicine, Doctor of Optometry, Doctor of Osteopathic Medicine and Surgery, Physicians Assistant as licensed under the Public Health Code, MCL 333.16103(2) et seq. or a registered, licensed pharmacist shall dispense medical marijuana.

Section 3:

All establishments that sell medical marijuana must obtain a dispensing license from the City of Hartford. The license application shall include the name and home address and home telephone number of the person in charge as well as a copy of that person's license with the State of Michigan, the address of the establishment, and phone number shall be furnished. An annual fee of \$5.00 shall be paid prior to the issuance of a license.

Section 4: Penalties

Violation of this ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment not exceeding Ninety Three (93) days or by both such fine and imprisonment in the discretion of the Court of competent jurisdiction.

Section 5: Injunctive Relief

The foregoing penalties shall not prohibit the City from seeking injunctive relief against a violator, or such other appropriate relief as may be provided by law. Costs of prosecution and/or enforcement and/or repair, alteration, razing may be assessed to anyone, jointly and severally, in violation thereof. Said costs may be added to the tax roll of the defendant as a special assessment.

Section 6: Cost Recovery

That in addition to all other penalties, the City of Hartford may bring an action for costs of enforcement and prosecution expense upon any person(s), corporation(s) and/or firm(s) that have violated the City's Ordinances. The cost of enforcement and prosecution shall be the actual amount of attorney fees and out-of-pocket expense for enforcement of the ordinance. An itemized list of fees and costs shall be given under oath and shall be prime facia evidence of the fees and costs.

Section 7: Effective Date and Adoption

This ordinance shall become effective upon publication as required by law.

Motion by: Dockter Second by: Austin

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Upon roll call vote, the following voted:

AYES: Austin; Dockter; Hall; Latus; Johnson
NAYS: None
ABSTAIN: None
ABSENT: Miller; Pleyer

Adopted: May 24, 2010
Published: May 26, 2010

THE CITY OF HARTFORD

RoxAnn Rodney-Isbrecht
Clerk, City of Hartford