

ORDINANCE NO. 2144

**CITY OF MADISON HEIGHTS,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by adding a new Article XVII to Chapter 7 of the Code of Ordinances, City of Madison Heights, Michigan, to prohibit marihuana establishments in the City of Madison Heights pursuant to Section 6 of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, to protect the public health, safety and welfare.

THE CITY OF MADISON HEIGHTS ORDAINS

SECTION 1. Amendment.

That a new Article XVII is added to Chapter 7 of the Code of Ordinances, City of Madison Heights, Michigan, to read as follows:

ARTICLE XVII. – MARIHUANA ESTABLISHMENTS

Sec. 7-400. – Intent.

The intent of this Ordinance is to exercise the City of Madison Heights’ authority to prohibit the establishment or operation of marihuana establishments within the City, as such facilities are defined in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018.

Sec. 7-401. – Prohibition.

Pursuant to Section 6 of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, the City of Madison Heights prohibits the establishment or operation of any and all categories of marihuana establishments within its boundaries.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between the hours of 12:30 p.m. and 4:30 p.m. on regular business days.

First Reading: September 9, 2019

Second Reading: October 14, 2019

Published: October 23, 2019

Effective: October 24, 2019