

**CITY OF MT. MORRIS
COUNTY OF GENESEE, MICHIGAN
ORDINANCE 2022-01**

AN ORDINANCE AMENDING THE MT. MORRIS CITY CODE OF ORDINANCES BY MAKING CERTAIN MARIJUANA OFFENSES PUNISHABLE AS CIVIL INFRACTIONS; TO REPEAL §42.144(a)(3); AND TO AMEND 42.144(B) TO REMOVE MARIJUANA PIPE

THE CITY OF MT. MORRIS HERBY ORDAINS:

SECTION I

Section 42.143 is hereby REPEALED and REPLACED as follows:

POSSESSION, CULTIVATION, DELIVERY OF MARIJUANA, VIOLATIONS AND PENALTIES

- 1) A person who commits any of the following acts, and is not otherwise authorized by this ordinance or by state law to conduct such activities, may be punished only as provided in this section and is not subject to any other form of punishment or disqualification, unless the person consents to another disposition authorized by law.
- 2) Except for a person who engaged in conduct described in MCL 333.27954, a person who possesses not more than the amount of marijuana allowed pursuant to state statute, cultivates not more than the amount of marijuana allowed pursuant to state statute, delivers without receiving any remuneration to a person who is at least 21 years of age not more than the amount of marijuana allowed pursuant to state statute, or possesses with intent to deliver not more than the amount of marijuana allowed pursuant to state statute, is responsible for a civil infraction and may be punished by a fine of not more than \$100 and forfeiture of the marijuana.
- 3) Except for a person who engaged in conduct described in MCL 333.27954, a person who possesses not more than twice the amount of marijuana allowed pursuant to state statute, cultivates not more than twice the amount of marijuana allowed pursuant to state statute, delivers without receiving any remuneration to a person who is at least 21 years of age not more than twice the amount of marijuana allowed pursuant to state statute:
 - a. For a first violation, is responsible for a civil infraction and may be punished by a fine of not more than \$500 and forfeiture of the marijuana;
 - b. For a second violation, is responsible for a civil infraction and may be punished by a fine of not more than \$1,000 and forfeiture of the marijuana;
 - c. For a third or subsequent violation, is guilty of a misdemeanor and may be punished by a fine of not more than \$2,000 and forfeiture of the marijuana.
- 4) Except for a person who engaged in conduct described by MCL 333.27954, a person under 21 years of age who possesses not more than 2.5 ounces of marijuana or who cultivates not more than 12 marijuana plants:

- a. For a first violation, is responsible for a civil infraction and may be punished as follows:
 - i. If the person is less than 18 years of age, by a fine of not more than \$100 or community service, forfeiture of the marijuana, and completion of 4 hours of drug education or counseling; or
 - ii. If the person is at least 18 years of age, by a fine of not more than \$100 and forfeiture of the marijuana
 - b. For a second violation, is responsible for a civil infraction and may be punished as follows:
 - i. If the person is less than 18 years of age, by a fine of not more than \$500 or community service, forfeiture of the marijuana, and completion of 8 hours of drug education or counseling; or
 - ii. If the person is at least 18 years of age, by a fine of not more than \$500 and forfeiture of the marijuana
- 5) Except for a person who engaged in conduct described in MCL 333.27954, a person who possesses more than twice the amount of marijuana allowed pursuant to state statute, cultivates more than twice the amount of marijuana allowed pursuant to state statute, or delivers without receiving any remuneration to a person who is at least 21 years of age more than twice the amount of marijuana allowed pursuant to state statute, shall be responsible for a misdemeanor, but shall not be subject to imprisonment unless the violation was habitual, willful, and for a commercial purpose or the violation involved violence.

Section 42.144(a)(3) is hereby REPEALED in its entirety.

Section 42.144(b) is hereby AMENDED by the removal of the term “Marijuana Pipe, Hash Pipe.”

SECTION II

All other provisions of this Chapter shall be and are hereby ratified.


SECTION III

This Ordinance shall be published in a newspaper of general circulation within the City of Mt. Morris, Genesee County, Michigan, and shall become effective upon publication.

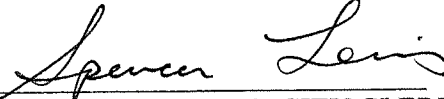
SECTION IV

A copy of this Ordinance may be inspected at the City Hall, 11649 N Saginaw St, Mt. Morris, Michigan, during regular business hours.

CITY OF MT. MORRIS,



By: JEFFREY N. ROTH, MAYOR



By: SPENCER LEWIS, CITY CLERK

Ordinance introduced on: 07.25.2022
Second Reading: 08.08.2022
Publication Date: 08.17.2022
Effective Date: 08.27.2022