

CITY OF NIAGARA
ORDINANCE PROHIBITING MARIJUANA ESTABLISHMENTS
ORDINANCE NO. 11-2-17

*An Ordinance to prohibit marijuana establishments within the boundaries of the City of Niagara,
Marinette County, Wisconsin.*

SECTION 1: TITLE. This ordinance shall be known as and may be cited as the City of Niagara, Wisconsin Prohibition of Marijuana Establishments Ordinance.

SECTION 2: DEFINITIONS. Words used within this Ordinance shall be construed to have the same meaning as provided in Wisconsin laws that would pertain to marijuana.

SECTION 3: NO MARIJUANA ESTABLISHMENTS. All marijuana establishments are prohibited within the boundaries of the City of Niagara. These include all resale or commercial selling of marijuana, or any product that contains marijuana, or drug paraphernalia.

SECTION 4: VIOLATIONS AND PENALTIES.

1. Any person who disobeys, neglects, or refuses to comply with any provision of this Ordinance or who causes, allows or consents to any of the same shall be deemed to be responsible for the violation of this Ordinance. A violation of this Ordinance is deemed to be a nuisance *per se*.
2. A violation of this Ordinance is a County Ordinance Violation, for which the fines shall not be less than \$100 or more than \$5,000, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the City of Niagara to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the City incurs in connection with the City Ordinance Violation.
3. Each day during which any violation continues shall be deemed a separate offense.
4. In addition, the City of Niagara may seek injunctive relief against persons alleged to be in violation of this Ordinance, and such other relief as may be provided by law.
5. This Ordinance shall be administered and enforced by the Niagara Police Department.

SECTION 5: SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION 6: REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: EFFECTIVE DATE. This Ordinance shall take effect 30 days after notice of its adoption is published in a local newspaper.

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Dated this 28 day of may, 2019

City of Niagara

George Bousley
George Bousely, Mayor

Audrey Fredrick
Audrey Fredrick, Clerk/Treasurer

5 Ayes

1 Nays