

CHAPTER 7, SECTION 1
7-1-1.23
LAFAYETTE COUNTY, WISCONSIN
ORDINANCE PROHIBITING MARIJUANA ESTABLISHMENTS

An Ordinance to prohibit marijuana establishments within the boundaries of Lafayette County, Wisconsin.

SECTION 1: TITLE. This ordinance shall be known as and may be cited as the Lafayette County, 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. Specifically, marijuana shall be defined pursuant to Wis. Stat. § § 961.01 (14) and 961.41(3g)(d) and drug paraphernalia shall be defined pursuant to Wis. Stat. § 961.571(1)(a)

SECTION 3: NO MARIJUANA ESTABLISHMENTS. All marijuana establishments are prohibited within the boundaries of Lafayette County. 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 Lafayette County 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 County incurs in connection with the County Ordinance Violation.
3. Each day during which any violation continues shall be deemed a separate offense.
4. In addition, Lafayette County 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 Lafayette County Sheriff's Office.

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.

FISCAL NOTE: No direct fiscal impact can be determined at this time.

LEGAL NOTE: Within County Board authority.

Date Passed by Lafayette County Board of Supervisors: October 15, 2019.