

MOTION BY: TRUSTEE KRESS

SUPPORTED BY: TRUSTEE KING

TO INTRODUCE AND PUBLISH THE FOLLOWING AS PART 6 CHAPTER 621 ENTITLED KRATOM ORDINANCE, AND TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE, WITH THE INTENT TO ADOPT AT THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES.

MOTION BY: CLERK MELTZER

SUPPORTED BY: TREASURER AIELLO

TO ADOPT AND PUBLISH THE FOLLOWING AS PART 6 CHAPTER 621 ENTITLED KRATOM ORDINANCE, AND TO PROVIDE FOR REPEALER, SEVERABILITY AND EFFECTIVE DATE.

**CHARTER TOWNSHIP OF CLINTON
MACOMB COUNTY, MICHIGAN**

ORDINANCE NO. 503

THE CHARTER TOWNSHIP OF CLINTON ORDAINS:

Section 1. Preamble. WHEREAS, kratom (*mitragyna speciosa*) is a psychoactive substance that is currently legal but largely unregulated under Michigan law, with no statewide age restrictions, licensing requirements, or safety standards in effect; and

WHEREAS, the U.S. Food and Drug Administration has issued multiple warnings regarding kratom, citing concerns related to addiction, contamination, adverse health effects, and risks to minors; and

WHEREAS, the Michigan Legislature has introduced House Bill 4969 (2025–2026 Regular Session), known as the Kratom Consumer Protection and Regulatory Act, that would establish statewide age restrictions, testing, and labeling requirements, but said bill has not yet been enacted and no implementation timeline is guaranteed; and

WHEREAS, in the absence of enacted state legislations, the Township finds it necessary to act within its police powers to protect youth and reduce exposure to unregulated kratom products; and

WHEREAS, this ordinance is intended to be as narrowly tailored as practical and an interim public safety measure focused on youth protection and does not constitute a ban on kratom possession or lawful adult use; and

WHEREAS, the purpose of this ordinance is to promote and protect the public health, safety and welfare and provide for the consistent and safe regulation of in order to preserve public health, safety and welfare, promote efficient feasible and safe processes, and provide for the harmonious and reliable development of property in a cost effective, efficient and safe manner.

Section 2. The Code of Ordinances for the Charter Township of Clinton, Title Six, Chapter 621 et. seq., is amended to read as follows.

621.01 KRATOM

This Ordinance shall be referred to as the Kratom Ordinance and is intended to prevent the sale of kratom to individuals under twenty-one (21) years of age.

621.02 DEFINITIONS

A. "Kratom" means and refers to any part of the plant *Mitragyna speciosa*, including its extracts, derivatives, or products derived therefrom.

B. "Retailer" means and refers to any person or business entity that sells, offers for sale, or distributes kratom products to other parties.

C. "Minor" means any individual who is under twenty-one (21) years of age.

621.03 SALE OF KRATOM TO MINORS PROHIBITED

No retailer shall sell, furnish, give, or distribute kratom, kratom products or products purporting to be kratom to any individual who is under the age of 21.

621.04 NOTICE

Retailers selling kratom shall post a clearly visible notice at the point of sale stating, "Kratom sales restricted to individuals 21 and older. Valid identification is required."

621.05. ENFORCEMENT

This ordinance shall be enforced by the Clinton Township Police Department.

621.06. PENALTIES

Any violation of this ordinance shall constitute a municipal civil infraction punishable by a fine of five hundred dollars (\$500) per violation.

Section 3. Repealer. All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary give this ordinance full force and effect.

Section 4. Severability. If any article, section, subsection, sentence, clause, phrase, portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining portions of the ordinance, it being the intent of the Township that this ordinance shall be fully severable.


Section 5. Effective Date. The ordinance shall become effective upon adoption and publication.

AYES: GIELEGHEM, MELTZER, AIELLO, MATUZAK, KRESS, KING, WADE

NAYS: NONE

ABSENT: NONE

ORDINANCE DECLARED ADOPTED.




KIM MELTZER, Clerk
Charter Township of Clinton

INTRODUCTION: 01/12/2026
FIRST PUBLICATION: 01/17/2026
ADOPTION: 01/26/2026
SECOND PUBLICATION: 01/30/2026

CERTIFICATION

I, KIM MELTZER, Clerk for the Township of Clinton, County of Macomb, State of Michigan, certify that this is a true copy of an Ordinance adopted by the Board of Trustees of the Charter Township of Clinton at its regular meeting on the 26th day of January, 2026.



KIM MELTZER, CLERK
Charter Township of Clinton