

ONTWA TOWNSHIP ORDINANCE NO. 2016-09-21.1

Adopted: September 21, 2016

Effective: January 1, 2017

ONTWA TOWNSHIP CONSUMPTION OR POSSESSION OF ALCOHOLIC LIQUOR IN PUBLIC PLACES ORDINANCE

An Ordinance to regulate the consumption and/or possession of alcoholic liquor in public places; to provide penalties for the violation of this Ordinance; and to repeal any Ordinance or parts of Ordinances in conflict herewith.

THE TOWNSHIP OF ONTWA

CASS COUNTY, MICHIGAN

ORDAINS:

SECTION I
TITLE

This Ordinance shall be known and cited as "The Ontwa Township Consumption and/or Possession of Alcoholic Liquor in Public Places Ordinance".

SECTION II
DEFINITIONS

- A. "Alcohol" means the product of distillation of fermented liquid, whether or not rectified or diluted with water, but does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.
- B. "Alcoholic Liquor" means any spirituous, vinous, malt, or fermented liquor, powder, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing ½ of 1% or more of alcohol by volume that are fit for use for food purposes or beverage purposes as defined and classified by the commission according to alcoholic content as belonging to 1 of the varieties defined in this chapter.
- C. "Container" means any bottle, glass, jar, cup, can, or other device that may be used to hold or store a liquid.
- D. "Person" means an individual, firm, partnership, limited partnership, association, limited liability company, or corporation.

SECTION III
REGULATIONS

No person shall consume or possess any open or uncapped container upon which the seal has been broken of any alcoholic liquor, as that term is defined in the Michigan Liquor Control Commission Act, on the public streets, parkways, or sidewalks of Ontwa

Township, or in any other place open to the general public, including any store or establishment doing business with the public not licensed to serve alcoholic beverages; provided however, that alcoholic liquor may be sold, possessed and/or consumed during the period of a special license with the specific approval and in conformance with the conditions of such approval and the condition of a special license granted by the Michigan Liquor Control Commission.

SECTION IV
PENALTY

A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100 or both.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

SECTION V
SEVERABILITY

Should any section, clause, paragraph, or provision of this Ordinance be declared by any Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so determined to be invalid.

SECTION VI
REPEAL

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION VII
EFFECTIVE DATE

This Ordinance shall take effect 30 days after its publication.

ADOPTED BY THE TOWNSHIP OF ONTWA BOARD ON THE 21st
DAY OF SEPTEMBER, 2016.

AYES: 6 NAYS: 0 ABSENT: 1

Date: September 21, 2016 Ontwa Township Supervisor: John F. Bost
Date: September 21, 2016 Ontwa Township Clerk: Teri M. Glan

ONTWA TOWNSHIP ORDINANCE NO. 2016-09-21.1

Adopted: September 21, 2016

Effective: October 29, 2016

ONTWA TOWNSHIP CONSUMPTION OR POSSESSION OF ALCOHOLIC LIQUOR IN PUBLIC PLACES ORDINANCE

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Ontwa Township Clerk:

Teri M. Miller