

Village Ordinance No. 9

VILLAGE OF LAKEWOOD CLUB LIQUOR CONTROL ORDINANCE

AN ORDINANCE to secure the public peace, health, and safety of the residents and property owners of the Village of Lakewood Club, Muskegon County, Michigan, a Municipal Corporation, for the regulation of alcoholic liquor traffic within said Village, through the enforcement of the Michigan Liquor Control Act of the State of Michigan within said Village, to provide penalties for the violation of said ordinance, and to repeal all ordinances and parts of ordinances in conflict therewith.

THE VILLAGE COUNCIL OF THE VILLAGE OF LAKEWOOD CLUB, MUSKEGON COUNTY, MICHIGAN, ORDAINS:

SECTION 1. TITLE. This Ordinance shall be known and cited as the Village of Lakewood Club Liquor Control Ordinance.

SECTION 2. LIQUOR CONTROL ACT OF THE STATE OF MICHIGAN. All alcoholic liquor traffic, including among other things, the manufacture, sale, offer for sale, storage for sale, possession and/or transportation thereof within Lakewood Club Village, Muskegon County, Michigan, shall comply with the provisions of the Michigan Liquor Control Act, being Act No. 8 of the Michigan Public Acts of 1933, as amended.

SECTION 3. ENFORCEMENT. For the purpose of the enforcement of said Michigan Liquor Control Act within said Village, there is hereby established a Liquor Control Enforcement Department with full power, authority, and duty to see that the provisions of said Act and the rules and regulations of the Michigan Liquor Control Commission, adopted pursuant to said Act, are enforced within said Village, such department shall consist of not less than one (1) police officer or deputy sheriff appointed by the Village Council, and such other personnel as the Village Council may, in its discretion, appoint. The personnel in such Department shall be entitled to such compensation as the Village Council may determine. Such Department or a member thereof shall be available at all times to investigate complaints received under this Ordinance, and enforce the provisions hereof.

SECTION 4. INSPECTION. The Village Liquor Control Enforcement Department shall inspect not less than monthly, all liquor establishments licensed under the liquor Control Act of the State of Michigan and report the results of all inspections promptly to the Village Council. The Village Liquor Control Enforcement Department shall further promptly investigate all complaints received by it concerning violations of the Michigan Liquor Control Act, or improper operations and practices concerning alcoholic liquor traffic within the

Village, and report the same to the Village Council, and, where appropriate under the Michigan Liquor Control Act, to the Michigan Liquor Control Commission for appropriate proceedings against the violators.

All Inspectors shall carry appropriate cards issued by the Village Clerk, clearly identifying them as Village Liquor Control Inspectors, and shall present said cards to the owner or manager of every place inspected by them when making an inspection, upon demand for identification by such owner or manager.

Inspectors shall have the right to inspect any place in the Village where alcoholic liquor is manufactured, sold, offered for sale, kept for sale, possessed, or transported. Whenever possible, all inspection reports shall be made on Liquor Law Enforcement Inspection forms furnished by the Michigan Liquor Control Commission or on similar forms otherwise obtained by the Village Liquor Control Enforcement Department.

SECTION 5. APPROPRIATION. For the purpose of carrying out the provisions of this Ordinance and establishing the Liquor Control Enforcement Department herein provided for, the Village Council hereby appropriates all of the receipts from liquor licenses received from the State of Michigan, for such use, and is hereby authorized and directed to annually appropriate such an amount as will, in its discretion, be sufficient to maintain and operate such Liquor Control Enforcement Department for the ensuing fiscal year of the Village, not exceeding, however, ten (10) mills of the assessed valuation of the Village in any one year for vehicle, apparatus and equipment and housing for the same, and not exceeding two and one-half (2-1/2) mills of the assessed valuation of the Village per year for the maintenance and operation of the Department.

SECTION 6. PENALTIES. Any person, other than persons required to be licensed under the Michigan Liquor Control Act, who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor.

Any licensee who shall violate any of the provisions of the Michigan Liquor Control Act or any rule or regulation of the Michigan Liquor Control Commission promulgated thereunder, or who shall violate any of the provisions of this Ordinance, and any person who shall prohibit or interfere with the authorized inspection of a member of the Village Liquor Control Enforcement Department shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than ninety (90) days, or by a fine of not more than One Hundred Dollars (\$100), or both, in the discretion of the court. Each day that a violation continues to exist shall constitute a separate offense.

It is the intent of the Village Council that the court, in imposing punishment under the provisions of this ordinance, should discriminate between casual or slight violations and habitual sales of alcoholic liquor or attempts to commercialize

violations of this Ordinance or any of the rules or regulations of the Michigan Liquor Control Commission promulgated under the Michigan Liquor Control Act.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect twenty (20) days after adoption. All Ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Adopted:
Published:
Effective:

Hazel Kurtz, Clerk