

LYON TOWNSHIP
ROSCOMMON COUNTY, MICHIGAN

ORDINANCE NUMBER 4

ADOPTED: February 4, 1960

PUBLISHED: February 11, 1960

LIQUOR CONTROL ORDINANCE

An ordinance to secure the public health, safety, and welfare of the residents and property owners of Lyon Township, Roscommon County, Michigan and prescribe the sanctions for violation of the ordinance.

PURPOSE AND INTENT

An ordinance to secure the public peace, health and safety of the residents and property owners of the Township of Lyon, Roscommon County, Michigan, a municipal corporation for the regulation of alcoholic liquor traffic within said Township, through the enforcement of the Michigan Liquor Control Act of the State of Michigan within said Township, to provide penalties for the ordinances in conflict therewith.

TOWNSHIP OF LYON

ROSCOMMON COUNTY, MICHIGAN

ORDAINS:

SECTION 1

TITLE

This ordinance shall be known and cited as Lyon Township Liquor Control Ordinance.

SECTION 2

DEFINITIONS

The following terms used in this ordinance are as follows: N/A

SECTION 3

REGULATIONS

THE TOWNSHIP BOARD OF LYON TOWNSHIP, ROSCOMMON COUNTY, MICHIGAN,
ORDAINS:

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 Lyon Township, Roscommon 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.

ENFORCEMENT

For the purpose of enforcement of said Michigan Liquor Control Act within said Township, 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 Township. Such Department shall consist of not less than one constable or deputy sheriff appointed by the township board and such other personnel as the Township Board may, in its discretion appoint. The personnel in such Department shall be entitled to such compensation as the Township Board 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.

INSPECTION

The Township 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 township board. The Township 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 Township, and report the same to the Township Board and, where appropriate proceedings against the violators.

All inspectors shall carry appropriate cards issued by the Township Clerk, clearly identifying them as Township 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 township where alcoholic liquor is manufacture red, 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 an similar forms otherwise obtained by the Township Liquor Control Enforcement Department.

APPROPRIATIONS

For the purpose of carrying out the provisions of this ordinance and establishing the Liquor Control Enforcement Department herein provided for, the Township Board hereby appropriates the sum of \$600.00 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 Township, not exceeding, however, 10 mills of the assess valuation of the township in any one year for vehicles, apparatus and equipment and housing for same, and not exceeding 2 ½ (two and one-half) mills of the assessed valuation the township per year for the maintenance and operation of the department.

SECTION 4

VIOLATIONS AND PENALTIES

Any person who violates any of the provisions of this ordinance shall be deemed to be responsible for a Municipal Civil Infraction as defined by Michigan statute, punishable by a civil fine determined in accordance with the schedule:

Minimum Fine

1 st offense within a 3-year period*	\$ 50.00
2 nd offense within a 3-year period*	\$125.00
3 rd offense within a 3-year period*	\$250.00
4 th or subsequent offense in a three-year period*	\$400.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Lyon Township has been put in connection with the Municipal Civic Infraction.

In addition, any violation of this ordinance is hereby declared to be a public nuisance per se which may be abated in Circuit Court in lieu of or in addition to other civil infractions.

Each day that a violation exists shall constitute a separate offense for enforcement purposes.

SECTION 5

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any other portion of this ordinance.

SECTION 6

REPEAL

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7

EFFECTIVE DATE

This Ordinance shall take effect on the 20th day of March, 1960. All ordinance or parts of ordinance in conflict with any of the provisions of this Ordinance are hereby repealed