

ORDINANCE NO. 130

AN ORDINANCE PROHIBITING THE CONSUMPTION OR POSSESSION IN AN OPEN CONTAINER OF ANY ALCOHOLIC LIQUOR IN OR UPON ANY STREET, ALLEY, PARK OR ANY OTHER PUBLIC PLACE WITHIN THE VILLAGE OF DECATUR, OR UPON LANDS OWNED BY THE VILLAGE OF DECATUR.

THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:

Section 1: It shall be unlawful for any person to consume or have in their possession, in an open container, any alcoholic liquor in or upon any street, alley, park or any other public place within the Village of Decatur, or upon lands owned by the Village of Decatur, including “Elmer Red Woolfe Park”, except with the express consent of the Village Council of the Village of Decatur, Michigan.

Section 2: Alcoholic liquor shall include any spirituous, vinous, malt or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing one-half of one percent or more of alcohol by volume.

Section 3: Ordinance No. 41 and No. 90 are hereby repealed. Any other Ordinances or parts thereof of the Village of Decatur, Michigan in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4: Sections of this Ordinance shall be deemed severable and should any section, clause or provision of this Ordinance be declared to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 5: A violation of this Ordinance is a Municipal Civil Infraction and any person who shall violate this Ordinance shall be responsible for a civil infraction and subject to a civil fine not exceeding Five Hundred and 00/100 (\$500.00) Dollars, plus any costs, damages, expenses and other sanctions as authorized under Chapters 83 and 87 of Act No. 236 of the Michigan Public Acts of 1961 as amended, being MSA 27A.8302 and 27A.8701 et seq., respectively.

Section 6: This Ordinance shall become effective the 1st day of October, 1999.

Adopted by the Village Council of the Village of Decatur, Michigan on this 13th day of September, 1999.