

CHARTER TOWNSHIP OF BROWNSTOWN

WAYNE COUNTY, MICHIGAN

ORDINANCE NO. 227-15

AN ORDINANCE TO AMEND ORDINANCE NO. 227, PART 105, ARTICLE 7 OF THE CODE OF GENERAL ORDINANCES, CHARTER TOWNSHIP OF BROWNSTOWN, TO CONFORM TO CHANGES IN STATE LAW REGARDING UNLAWFUL PURCHASE, CONSUMPTION, OR POSSESSION OF ALCOHOL BY MINORS.

The Charter Township of Brownstown ordains:

Section 1. Purpose.

The purpose of this Ordinance is to adopt by reference the Michigan "Minor In Possession" law, Michigan Compiled Law (MCL) 436.1703, that being Public Act (P.A.) 1998, No. 58, for enforcement of same by the Brownstown Township authorities and the Township Attorney pursuant to the authority granted under MCL 41.181(3), 41.184(4) and 42.21(5). Such adoption by reference shall replace the existing Brownstown General Ordinance 227, Section 105.700 in its entirety.

Section 2. Adoption of MCL 436.1703.

MCL 436.1703, P.A. 1998, No. 58, and all future amendments and revisions to said section when they are effective in this State, are hereby incorporated and adopted by reference.

Section 3. Penalties.

Enforcement of this Ordinance shall be done in the 33rd District Court of Michigan consistent with the penalties contained within MCL 436.1703, P.A. 1998, No. 58, or equivalent penalties at the Court's discretion.

Section 4. Severability.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declarations shall not affect the validity of the Ordinance, as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 5. Saving clause.

A prosecution which is pending on the effective date of this Ordinance and which arose from a violation of an ordinance replaced by this Ordinance, or a prosecution which is started within one year after the effective date of this Ordinance arising from a violation of an ordinance replaced by this Ordinance and which was committed prior to the effective date of this Ordinance, shall be tried and determined exactly as if the ordinance had not been replaced.

Section 6. Repealer.

All ordinances, resolutions or orders, or parts of ordinances in conflict with the provisions of this Ordinance to the extent of such conflict, are hereby repealed.

Section 7. Effective Date; Publication.

This Ordinance was approved and adopted by the Township Board of Brownstown Charter Township, Wayne County, Michigan, on February 5, 2018, after introduction and a first reading on January 15, 2018, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective immediately upon publication, in The News Herald, a newspaper having general circulation in the Township.

ANDREW LINKO, Supervisor


BRIAN PETERS, Clerk

I further certify that the foregoing was published in The News Herald, a newspaper of general circulation in the Charter Township of Brownstown, on the 11th day of February, 2018.


BRIAN PETERS, Clerk