

CHAPTER 604
Alcoholic Beverages

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CROSS REFERENCES

Limitations on local laws penalizing intoxication, drunkenness or
incapacitation - see M.C.L.A. §333.6523

Intoxicating liquors generally - see M.C.L.A. §§436.1 et seq.

Sales on Sundays and municipal election days - see M.C.L.A.
§436.19e

604.01 DEFINITIONS.

As used in this chapter, "alcoholic liquor" and "license" shall be as defined in Act 8 of the Public Acts of Michigan, 1933 Extra Session, as amended.

604.02 CONSUMPTION IN PUBLIC.

No alcoholic liquor shall be consumed on the public streets, or on or in any other public places, unless written approval is provided by the City Manager, including any store or establishment doing business with the public that is not licensed to sell alcoholic liquor for consumption on the premises; nor shall anyone who owns, operates or controls any such public establishment or store permit the consumption of alcoholic liquor therein.

604.03 LIQUOR SALES.

No licensee, by himself or herself or another, shall sell, furnish, give or deliver any alcoholic liquor to any person:

- (a) Who is so intoxicated as not to be in control of all of his or her faculties.
- (b) On any day during the hours not permitted by State law or the Liquor Control Commission of the State of Michigan.

604.04 BARS.

No licensee shall permit on licensed premises:

- (a) Spirits to be consumed if such licensee is licensed to sell only beer or wine or both.
- (b) Any disorderly conduct or action which disturbs the peace and good order of the neighborhood.
- (c) Any congregation of thieves, prostitutes or other disorderly persons.
- (d) Any gambling, or the placing using of any gambling apparatus or paraphernalia therein.
- (e) Any lewd, obscene or immoral exhibition or entertainment, or other conduct likely to corrupt the public morals.

604.05 SALES TO PERSONS UNDER TWENTY-ONE.

No person, either directly or indirectly, by himself or herself or by any clerk, agent, servant, or employee, shall at any time sell, furnish, give or deliver any alcoholic liquor to any person unless such person shall have attained the age of twenty-one years; nor shall any person, either directly or indirectly, by himself or herself or by any clerk, agent, servant or employee, at any time, sell, furnish, give or deliver any alcoholic liquor to any person who is so intoxicated as not to be in control of all his or her faculties; provided, however, that nothing herein contained shall prohibit the sale of alcoholic liquor to a minor upon authority of and pursuant to a prescription of a duly licensed physician.

604.06 PURCHASES BY PERSONS UNDER TWENTY-ONE.

No person under the age of twenty-one years shall at any time purchase, offer or attempt to purchase, obtain, consume or bring into any premises within the City, for which a license has been issued to sell intoxicating liquor on the premises, any alcoholic liquor as defined by this chapter. Nor shall any person, in order to procure the sale and furnishing of alcoholic liquor to any person under the age of twenty-one years, make any false representations as to the age of the person for whom said alcoholic liquor is desired. Nor shall any person under the age of twenty-one years furnish any false information regarding his or her age or make any false representations as to his or her age to any law enforcement officer, or to any person in charge of or employed in a place of business where alcoholic liquor is sold, for the purpose of obtaining a sale of any alcoholic liquor to himself or herself; provided, however, that nothing herein contained shall prohibit the purchase of alcoholic liquor by a minor under the authority of and pursuant to a prescription of a duly licensed physician.

604.07 POSSESSION IN MOTOR VEHICLE BY PERSONS UNDER TWENTY-ONE.

No person under the age of twenty-one years shall purchase or knowingly possess, transport or have under his or her control in any motor vehicle any alcoholic liquor, unless said person is employed by a licensee of the Michigan Liquor Control Commission and is possessing, transporting or having such alcoholic liquor in a motor vehicle under his or her control during regular working hours and in the course of his or her employment. This section shall not apply to alcoholic liquor possessed by a minor under authority of and pursuant to a prescription of a duly licensed physician.

604.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

Any person under the age of seventeen years who shall violate any of the provisions of this chapter shall, upon apprehension, be taken to the Juvenile Division of the Probate Court and dealt with in such manner as prescribed by the laws of the State.

