

ORDINANCE NO. 159

LIQUOR REGULATIONS FOR PERSONS UNDER 21 YEARS OF AGE

ADOPTED: March 11, 1985

EFFECTIVE: April 1, 1985

An ordinance to establish regulations pertaining to the purchase, offer or attempt to purchase of alcoholic beverages by persons under 21 years of age; pertaining to persons under 21 years of age furnishing false information of identification as to age; and pertaining to persons under 21 years of age possessing alcoholic liquor in a motor vehicle; and to repeal any parts or portions of other ordinances of the Village which are inconsistent herewith.

The Village of Augusta ordains:

Sec. 1. No person under the age of 21 years shall do any of the following in the Village:

A. Purchase, offer of attempt to purchase, have in his/her possession, or consume any alcoholic beverage except as provided in subsection C. This subsection shall not be construed to prohibit a person less than 21 years of age from possessing any alcoholic beverage during regular working hours and in the course of his/her employment, if employed by a person licensed by the Michigan Liquor Control Commission, or by an agent of the Michigan Liquor Control Commission, while under the direct control of such employer of agent and while in the performance of his/her duties, if the alcoholic beverage is not possessed for his/her personal consumption. A person who violates this subsection is guilty of a misdemeanor.

B. Purchase any false information or make any false representation as to his/her age to any law enforcement officer, or to any person in charge of or employed in an establishment licensed to sell alcoholic beverages, for the purpose of purchasing or attempting to purchase or obtain any alcoholic beverage. A person who violates this subsection is guilty of a misdemeanor.

C. Knowingly transport or possess, in a motor vehicle, alcoholic beverages unless the person is employed by a licensee under the Michigan Liquor Control Act, being Act No. 8 of the Public Acts of 1933 (extra session) as amended to the State of Michigan, the Michigan Liquor Control Commission or an agent of the Michigan Liquor Control Commission, and is transporting or having the alcoholic liquor in a motor vehicle under the person's control during regular working hours and in the course of the person's employment. A person who violates this subsection is guilty of a misdemeanor.

Sec. 2. Any person who fails to comply with any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding the sum of \$500 or by imprisonment in the county jail not exceeding 90 days, or by both such fine and imprisonment at the discretion of the court.

Sec. 3. Should any section, clause or paragraph of this ordinance be declared to be null, void or otherwise unenforceable by the courts, the same shall not affect the remaining portions of this ordinance, which shall remain in full force and effect.

Sec. 4. This ordinance shall take effect on April 1, 1985.

Eleanor W. Baxter

Eleanor W. Baxter, Clerk

CERTIFICATE

I, Eleanor W. Baxter, Clerk of the Village, hereby certify that Ordinance No. 159 was offered by White, supported by McCleary, and the voting upon said ordinance was as follows:

Ayes:

Nays:

Ifurther certify that I did post notice of said ordinance at the following public places within the Village:

1. Village Hall
2. Baxter's Augusta Pharmacy
3. U.S. Post Office

I further certify that the ordinance was published once as a legal notice in the Galesburg Argus on March 20, 1985.

Eleanor W. Baxter

Eleanor W. Baxter, Clerk