

**VILLAGE OF PENTWATER
ORDINANCE TO AMEND CHAPTER 131
Ordinance No. 131.01 of 2019**

131.02

AN ORDINANCE PURSUANT TO PUBLIC ACT NO. 3 OF 1895, MCL 67.1, AS AMENDED, TO PERMIT AND REGULATE THE CONSUMPTION OF ALCOHOL IN THE VILLAGE PARK COMMONLY KNOWN AS THE VILLAGE GREEN, TO INSURE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF.

THE VILLAGE OF PENTWATER ORDAINS:

Section 1. Section 131.01 of the Village of Pentwater, Michigan, Code of Ordinances, is hereby amended to provide as follows:

§ 131.01 DEFINITIONS. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALCOHOLIC BEVERAGES. Any spirits, wine, beer, ale, or other liquid containing more than 0.5% of alcohol by volume.

VILLAGE GREEN. Includes the area now or hereafter owned by the Village commonly known and designated as the "Village Green" situated between Hancock Street and Dover Street (extended southward) and between Second Street and Third Street.

Section 2. Section 131.02 of the Village of Pentwater, Michigan, Code of Ordinances, is hereby amended to provide as follows:

§ 131.02 CONSUMPTION WITHIN VILLAGE GREEN. No person, regardless of age, shall consume alcoholic beverages on the premises of the Village Green unless authorized by a permit issued by resolution of the Village Council. Such resolution shall set forth the terms, conditions, and duration of the permit. Any person who violates, disobeys, neglects, or refuses to comply with this section or a permit issued under this section shall be responsible for a municipal civil infraction. The Village Manager or Village Police Chief may revoke a permit issued under this section if probable cause exists to believe that a violation of the permit, this section, these codified ordinances, or state or federal law/regulations has occurred. Penalty, see § 10.99.

Section 3. All ordinances or part of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. This ordinance shall take effect and be in force 20 days from and after its enactment as provided by the Village Council.

AYES: Members: Angell-Powell, Nugent, Bundeck, Rosal-Hodm: Hodges
NAYS: Members: Palmer; Guffis
ABSENT: Members: Ø

ORDINANCE DECLARED ADOPTED.

Jeffrey Hodges
Jeffrey Hodges, Village President
Village of Pentwater

Rande S Listerman
Rande S. Listerman, Village Clerk
Village of Pentwater

STATE OF MICHIGAN)
) ss.
COUNTY OF OCEANA)

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Pentwater at a regular meeting held on March 11, 2019, 2019, and I further certify that public notice of such meeting was given as provided by law.

Rande S Listerman
Rande S. Listerman, Village Clerk
Village of Pentwater