

ORDINANCE NO. 9-300

AN ORDINANCE PROHIBITING THE PURCHASE, POSSESSION
OR CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS

THE CITY OF ISHPEMING ORDAINS:

Section 9-301. Except as permitted by state law, a minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content.

Section 9-302. Any minor who violates section 9-301 shall be punishable as follows:

- a. For the first violation a fine of not more than \$100.00 and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in state law.
- b. For a violation following a prior conviction or juvenile adjudication for a violation of Section 9-301 or a substantially corresponding state law, by imprisonment for not more than 30 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, a fine of not more than \$200.00 and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in state law.
- c. For a violation following 2 or more prior convictions or juvenile adjudications for a violation of Section 9-301 or a substantially corresponding state law, by imprisonment for not more than 60 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, a fine of not more than \$500.00 and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in state law.
- d. In accordance with and as provided in state law, when an individual who has not previously been convicted of or received a juvenile adjudication for a violation of Section 9-301 or a substantially corresponding state law pleads guilty to a violation of Section 9-301, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place the individual on probation upon terms and conditions as provided in state law. Upon violation of a term or condition of probation or upon a finding that the individual is utilizing this subsection in another court, the court may enter an adjudication of guilt and proceed as otherwise provided

by law. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings, which shall have the same effect as provided in state law.

Section 9-303. This ordinance shall become effective on March 7, 2018 and after publication in accordance with the Charter of the City of Ishpeming.

Adopted: April 4, 1995
Amended: January 8, 1997
March, 7, 2018