

RESOLUTION NO. 22-04

**CITY OF ST. CLAIR
ST. CLAIR COUNTY, MICHIGAN**

A RESOLUTION TO PERMIT THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN CERTAIN PUBLIC PLACES PURSUANT TO CITY CODE SECTION 38-33(B)

WHEREAS, Public Act 58 of 1998, the Michigan Liquor Control Code, MCL Section 436.1915 allows for the lawful possession and consumption of alcoholic liquor in public parks and places and for municipal governments to legislate restrictions on same; and

WHEREAS, the City of St. Clair has availed itself of the right established by MCL Section 436.1915(3) to prohibit the possession or consumption of alcoholic beverages on public property by the adoption of Code Section 38-33(a) and

WHEREAS, the City of St. Clair has reserved the right pursuant to Code Section 38-33(b) to permit the possession or consumption of alcoholic beverages by resolution of City Council upon or in public places when it determines that a state liquor license is not required and may promulgate such regulations therefor as it determines are necessary; and

WHEREAS, the City of St. Clair desires to provide an opportunity for all persons of legal-age to possess and consume alcoholic beverages outdoors on specific City-owned or operated property (including parks) and public rights-of-way throughout the City by temporarily suspending the enforcement of the prohibition established by Code Section 38-33(a) as to the possession and consumption of alcoholic beverages in public places and determines same is in the public interest and serves an important civic purpose in encouraging commerce in the City;

NOW, THEREFORE, BE IT RESOLVED, that the possession and consumption of alcoholic beverages shall be allowed from 11:00 a.m. to 11:00 p.m. Monday through Saturday and 12:00 p.m. to 11:00 p.m. on Sundays, effective April 1, 2022 through October 31, 2022 at the following public places.

1. Palmer Park, including all city-owned parking lots and boardwalks from the M-29 bridge to the northern border of the park, and Rotary Park
2. Third Street between Clinton and Vine
3. Clinton Avenue between 6th and M-29
4. M-29 between Clinton and Vine

RESOLUTION DECLARED ADOPTED.

Bill Cedar, Jr., Mayor

CERTIFICATION

The foregoing is a true and complete copy of a Resolution adopted by the City Council in the City of St. Clair, St. Clair County, Michigan at a regular meeting held on the 21st day of March, 2022. Public Notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of 1976, and the Minutes of said meeting were kept and will be or have been made available as required by said Act.

Members Present: Cedar, Kindsvater, Klieman, Kuffa, LaPorte, Paul, Volz
Members Absent: None

It was moved by Member Kindsvater and supported by Member Kuffa to adopt the Resolution.

Members Voting "Yes": LaPorte, Paul, Volz, Kindsvater, Kuffa, Cedar
Members Voting "No": Klieman

The Resolution was declared adopted by the Mayor and has been recorded in the Resolution Book.

Annette Sturdy, City Clerk
City of St. Clair, Michigan