

**ORDINANCE NO. 149**

**RETAIL ALCOHOL SALES PROHIBITION REPEAL ORDINANCE**

AN ORDINANCE TO REPEAL THE PROHIBITION AGAINST THE RETAIL SALE OF ALCOHOLIC BEVERAGES WITHIN THE TOWNSHIP; TO SUBMIT THAT REPEAL TO THE ELECTORS OF THE TOWNSHIP; AND TO ELIMINATE ANY CONFLICTS WITH OTHER ORDINANCES AND REGULATIONS.

THE TOWNSHIP OF LAKETOWN, COUNTY OF ALLEGAN, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Repeal of Prohibition Against Retail Sale of Alcoholic Beverages. Pursuant to Section 57a of Act No. 8 of the Michigan Public Acts of the Extra Session of 1933, as amended, and pursuant to Ordinance No. 38, the retail sale of alcoholic beverages in packaged form or any other form within the Township was prohibited. Pursuant to this Ordinance, Ordinance No. 38 is repealed, as is the prohibition against the retail sale of alcoholic beverages in packaged form or any other form within the Township.

Section 2. Submission to Electors. This Ordinance shall be submitted to the electors of the Township for a binding vote of ratification or rejection at the next general or special election that is held not less than 45 days after the adoption of this Ordinance.

Section 3. Ballot Question. The possible repeal of Ordinance No. 38, which repeal would allow the retail sale of alcoholic beverages in the Township, shall be designated as follows on the ballot used in the next general or special election that is held not less than 45 days after the adoption of this Ordinance:

Should Ordinance No. 38, which prohibits the retail sale of alcoholic beverages in packaged form or any other form in the Township of Laketown, be repealed by Ordinance No. 149?

Yes \_\_\_\_\_

No \_\_\_\_\_

Section 4. Severability. This Ordinance and its various parts, sections, sentences, phrases, and clauses are severable. If any part, section, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected unless this Ordinance is revoked pursuant to Section 3 above.

Section 5. Repeal. All resolutions, ordinances, orders or parts thereof in conflict in whole or in part with any of the provisions of this Ordinance are, to the extent of such conflict, repealed.

Section 6. Administrative Liability. No officer, agent, employee or member of the Township Board shall be personally liable for any damage which may accrue to any person as the result of any act, decision or other consequence or occurrence arising out of the discharge of the person's duties and responsibilities pursuant to this Ordinance.

Section 7. Effective Date. This Ordinance was approved and adopted by the Township Board of Laketown Township, Allegan County, Michigan, on April 9, 2008, to be effective May 17, 2008, and it is ordered to take effect 30 days after publication in the Holland Sentinel, a newspaper with general circulation in the Township.

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Terry Hofmeyer, Township Supervisor

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Wendy VanHuis, Township Clerk

**CERTIFICATE**

I, Wendy VanHuis, the Clerk for the Township of Laketown, Allegan County, Michigan, certify that the foregoing Ordinance was adopted at a regular meeting of the Laketown Township Board held on April 9, 2008. The following members of the Township Board were present at that meeting: Hofmeyer, Van Huis and Scanlan. The following members of the Township Board were absent: Dewey and Stielstra. The Ordinance was adopted by the Township Board with members of the Board Hofmeyer, Van Huis and Scanlan voting in favor and no members of the Board voting in opposition to the Ordinance. Notice of Adoption and the Ordinance were published in the Holland Sentinel on April 16, 2008.

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Wendy VanHuis, Township Clerk