

**CITY OF FARMINGTON  
COUNTY OF OAKLAND  
STATE OF MICHIGAN**

**ORDINANCE NO. C-758-2011**

**AN ORDINANCE TO AMEND CHAPTER 3, "ALCOHOL,"  
ARTICLE I, "IN GENERAL," SECTION 3-5,  
"CONSUMPTION IN PUBLIC," IN ORDER TO ALLOW  
CONSUMPTION OF ALCOHOL IN CERTAIN STORES OR  
ESTABLISHMENTS IN AREAS NOT OPEN TO THE  
GENERAL PUBLIC, WITH CERTAIN LIMITATIONS.**

**THE CITY OF FARMINGTON ORDAINS:**

**Section 1 of Ordinance**

That Chapter 3, "Alcohol," Article I, "In General," Sec. 3-5, "Consumption in Public," is hereby amended to read as follows:

**Sec. 3-5. Consumption in public.**

- (a) No alcoholic liquor shall be consumed on the public streets or in public parks.
- (b) No alcoholic liquor shall be consumed in any store or establishment doing business with the public in the city which is not licensed to sell such alcoholic liquor for consumption on the premises. This provision shall not apply to an establishment that is occupied by a business that is duly licensed under this City Code that is engaged in bona fide instructional activities as a principal permitted use of the premises under the Zoning Ordinance (such as painting, cooking, or sculpture) and that designates an area on the premises that is not open to the general public and has separate ingress and egress that complies with all applicable building codes, so long as such activities otherwise comply with all state and local laws, rules, and regulations. This provision shall not apply to occasional wine-tasting or beer-tasting or similar events conducted at a store or establishment that is authorized to sell alcohol on the premises, so long as such events otherwise comply with all state and local laws, rules, and regulations.
- (c) No person shall consume, transport nor possess any alcoholic beverage which shall be open or uncapped as would allow for consumption in any motor vehicle upon any street, highway or any other place open to the general public, including any area designated for the parking of motor vehicles, whether public or privately owned.
- (d) No person shall consume nor possess any alcoholic beverage which shall be open or uncapped as would allow for consumption on any public street, highway, sidewalk, alley or any other area open to the general public, including any area designated for the parking of motor vehicles, whether public or privately owned.

**Section 2 of Ordinance. Repealer.**

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

**Section 3 of Ordinance. Severability.**

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**Section 4 of Ordinance. Savings.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

**Section 5 of Ordinance. Effective Date.**

The provisions of this Ordinance are ordered to take effect following publication in the manner prescribed by the Charter of the City of Farmington.

**Section 6 of Ordinance. Adoption.**

This ordinance is hereby declared to have been adopted by the Farmington City Council in a meeting thereof duly held and called on the 17<sup>th</sup> day of October, 2011, in order to be given publication in the manner prescribed by the Charter of the City of Farmington.

Moved by Councilmember Knol and supported by Councilmember Galvin.

AYES: Galvin, Knol, McShane, Buck.  
NAYS: Wright.  
ABSTENTIONS: None.  
ABSENT: None.

Ordained this 17th day of October, 2011, by the City Council of the City of Farmington.

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J.T. (Tom) Buck, Mayor

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Susan K. Halberstadt, City Clerk  
City of Farmington

STATE OF MICHIGAN     )  
  )SS.  
COUNTY OF OAKLAND    )

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington at a meeting held on the 17th day of October, 2011, the original of which is on file in my office.

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SUSAN K. HALBERSTADT, City Clerk  
City of Farmington

Introduced:   September, 19, 2011  
Adopted:       October 17, 2011  
Effective:     October 27, 2011  
Published:     October 23, 2011

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