

Chapter 52 REGULATED SUBSTANCES

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ARTICLE I. IN GENERAL

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Sec. 52-101. Definitions.

The City adopts all words, terms and phrases, when used in this chapter, as having the meaning given in Michigan Liquor Control Code of 1998, MCL Section 333.7104 of the Public Heal Code, and MCL Section 333.27953 of the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018 ("MRTMA"). The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Alcoholic liquor means any spirituous, vinous, malt, or fermented liquor, powder, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing one-half of 1% or more of alcohol by volume that are fit for use for food purposes or beverage purposes.

[State Law reference — MCL 436.1105 Et seq.]

License means a contract between the commission and the licensee granting authority to that licensee to manufacture and sell, sell, or warehouse alcoholic liquor.

[State Law reference — MCL 436.1107 Et seq.]

Alternative Nicotine Product means a noncombustible product that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means.

Controlled substance means a drug, substance, or immediate precursor included in schedules 1 to 5 of part 72, excluding marihuana.

[State Law reference — MCL 333.7104]

Drug paraphernalia means any equipment, product, material, or combination of equipment, products, or materials which is specifically designed for use in planting; propagating; cultivating; growing; harvesting; manufacturing; compounding; converting; producing; processing; preparing; testing; analyzing; packaging; repackaging; storing; containing; concealing; or injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, including, but not limited to, all of the following:

- (a) An isomerization device specifically designed for use in increasing the potency of any species of plant which plant is a controlled substance.

- (b) Testing equipment specifically designed for use in identifying or in analyzing the strength, effectiveness, or purity of a controlled substance.
- (c) A weight scale or balance specifically designed for use in weighing or measuring a controlled substance.
- (d) A diluent or adulterant, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose, and lactose, specifically designed for use with a controlled substance.
- (e) An object specifically designed for use in ingesting, inhaling, or otherwise introducing cocaine, hashish, or hashish oil into the human body.
- (f) A kit specifically designed for use in planting, propagating, cultivating, growing, or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived.
- (g) A kit specifically designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.
- (h) A device, commonly known as a cocaine kit, that is specifically designed for use in ingesting, inhaling, or otherwise introducing controlled substances into the human body, and which consists of at least a razor blade and a mirror.
- (i) A device, commonly known as a bullet, which is specifically designed to deliver a measured amount of controlled substances to the user.
- (j) A device, commonly known as a snorter, which is specifically designed to carry a small amount of controlled substances to the user's nose.
- (k) A device, commonly known as an automotive safe, which is specifically designed to carry and conceal a controlled substance in an automobile, including, but not limited to, a can used for brake fluid, oil, or carburetor cleaner which contains a compartment for carrying and concealing controlled substances.
- (l) A spoon, with or without a chain attached, that has a small diameter bowl and that is specifically designed for use in ingesting, inhaling, or otherwise introducing controlled substances into the human body.

[State Law reference — Sale of drug paraphernalia defined, MCL 333.7451]

Minor means a person under 21 years of age.

Public Place means a public place is generally understood to be any place that is open to or may be used by the members of the community, or that is otherwise not restricted to the private use of a defined group of persons. A public place is one where, by general invitation, members of the public attend for reasons of business, entertainment, instruction, or the like, and are welcome as long as they conform to what is customarily done there. A public place includes areas, not within a person's residence, which have not been authorized and designated for consumption of marihuana within the municipality. Among places included, but not limited to, are any:

- (a) Highway, street, road, alley, sidewalk, park, parking lot, river, public water, wharf, dock, waterfront, or publicly owned or controlled open ground.

- (b) Publicly owned or controlled building, excluding any interior portion thereof being used as a dwelling.
- (c) Place of business.
- (d) Place of amusement, entertainment, recreation or education open to the general public.
- (e) Place where services are rendered to the public or a substantial group of persons.
- (f) Transport facility.
- (g) Public conveyance.
- (h) Place of religious worship.
- (i) Place of manufacturing.
- (j) Railroad right-of-way.
- (k) Hospital.
- (l) Cemetery.
- (m) Common area of any hotel or apartment building.
- (n) Private meeting place when a privately employed special-duty police officer, special-duty deputy sheriff or deputy sheriff is on duty there.
- (o) Grounds appurtenant to any of the places designated in this section.
- (p) Parking facility used in connection with any of the places designated in this section.

Tobacco Product means a product that contains tobacco and is intended for human consumption, including but not limited to, cigarettes, non-cigarette smoking tobacco, or smokeless tobacco, as those terms are defined.

Vapor Products means a noncombustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape or size, which can be used to produce vapor from a solution or other form. Vapor product includes an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and a vapor cartridge in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

Sec. 52-102. Violations.

Unless a provision within this Chapter is specifically noted as a criminal misdemeanor under this Code, and any person, individual, corporation, limited liability company, partnership of any type, trust, or other legal entity which violates or refuses to comply with any provision of this Chapter shall be considered in violation. Violations of this Chapter shall be deemed municipal civil infractions and violators shall be subject to fines, costs, and other relief pursuant to Section 2-404 of the Code.

Many provisions within this Chapter that are civil infractions under the Code have nearly equivalent state law provisions which make the same or similar behavior a criminal act, either a misdemeanor or felony, under state law. Nothing in this Chapter shall preclude an officer from charging a person under the state law, when a more egregious, related behavior warrants a criminal charge, in lieu of a municipal civil infraction.

ARITICLE II. ALCOHOLIC LIQUOR

Sec. 52-201. Proceedings for nonrenewal or revocation of license.

Sec. 52-202. Sales to persons less than 21 years of age.

Sec. 52-203. Purchase, consumption or possession by person less than 21 years of age.

Sec. 52-204. Consumption in public place.

Sec. 52-205. Possession of open container in public place.

Sec. 52-201. Proceedings for nonrenewal or revocation of license.

- (a) Pursuant to the authority granted by section 521 of the Michigan Liquor Control Code of 1998 (MCL 436.1501), the city council may initiate proceedings for nonrenewal or revocation of licenses granted by the state liquor control commission to sell beer, wine, or spirits for consumption on the premises. Before objecting to renewal or requesting a revocation of a license, the city council shall hold a public hearing, after due notice to the licensee of the hearing and the reasons for the proposed action, at which hearing the licensee may present evidence and testimony and confront adverse witnesses. The licensee shall be provided with a written statement of the findings of the city council based upon the evidence presented.
- (b) Any objection to renewal or request for revocation to the liquor control commission by the city council pursuant to this section shall be based upon a finding that the licensee has engaged in, or has permitted to occur on or involving the licensed premises, any one or more of the following:
 - (1) The consumption of spirits, if licensed to sell only beer or wine, or both beer and wine.
 - (2) Dancing or live entertainment open to the public, with or without an admission charge, unless holding a valid dance or dance-entertainment permit.
 - (3) Any disorderly conduct or action which disturbs the peace and good order of the neighborhood.
 - (4) Any frequenting by thieves, prostitutes or other disorderly persons.
 - (5) Any gambling activity or the placing or using of any gambling apparatus or paraphernalia therein.
 - (6) Any possession, sale, or use of any illegal drug or controlled substance.
 - (7) Use of interior lighting which is insufficient to enable a person with average vision to clearly see all persons within the premises.
 - (8) Any violation of the state construction code.
 - (9) Any violation of the fire code of the city.
 - (10) Any violation of this chapter.
 - (11) Any violation of any other provision of this Code or state or federal law which is designed to protect the public health, safety or welfare or any rule or regulation adopted pursuant to any such provision of this Code or of such state or federal law.

- (12) Serving alcoholic liquor to anyone at any time or in any manner which is prohibited by state law or any rule or regulation promulgated pursuant to law.
- (13) Any failure to pay real or personal property taxes by March 1 of the year following the year in which such taxes were levied.

Sec. 52-202. Sales to persons less than 21 years of age.

- (a) Alcoholic liquor shall not be sold or furnished to a minor. Subject to subsection (c) of this section, a person who knowingly sells or furnishes alcoholic liquor to a minor, or who fails to make diligent inquiry as to whether the person is a minor, is guilty of a misdemeanor. A suitable sign describing the content of this section and the penalties for its violation shall be posted in a conspicuous place in each room where alcoholic liquor is sold. The signs shall be approved and furnished by the state liquor control commission.
- (b) If a violation occurs in an establishment that is licensed by the state liquor control commission for consumption of alcoholic liquor on the licensed premises, a person who is a licensee or the clerk, agent, or employee of a licensee shall not be charged with a violation of subsection (a) of this section unless the licensee or the clerk, agent, or employee of the licensee knew or should have reasonably known with the exercise of due diligence that a person less than 21 years of age possessed or consumed alcoholic liquor on the licensed premises and the licensee or clerk, agent, or employee of the licensee failed to take immediate corrective action.
- (c) If the enforcing agency involved in the violation is the state police or a local police agency, a licensee shall not be charged with a violation of subsection (a) of this section unless enforcement action under section 6-4 is taken against the minor who purchased or attempted to purchase, consumed or attempted to consume, or possessed or attempted to possess alcoholic liquor and, if applicable, enforcement action is taken under this section against the person 21 years of age or older who sold or furnished the alcoholic liquor to the minor. This subsection does not apply under any of the following circumstances:
 - (1) The person 21 years of age or older who sold or furnished alcoholic liquor to the minor is not alive or is not present in this state at the time the licensee is charged.
 - (2) The violation of subsection (a) of this section is the result of an undercover operation in which the minor purchased or received alcoholic liquor under the direction of the person's employer and with the prior approval of the city attorney's office as part of an employer-sponsored internal enforcement action.
 - (3) The violation of subsection (a) of this section is the result of an undercover operation in which the minor purchased or received alcoholic liquor under the direction of the state police, the state liquor control commission, or a local police agency as part of an enforcement action. However, any initial or contemporaneous purchase or receipt of alcoholic liquor by the minor shall have been under the direction of the state police, the commission, or the local police agency and shall have been part of the undercover operation.
- (d) If a minor participates in an undercover operation in which the minor is to purchase or receive alcoholic liquor under the supervision of a law enforcement agency, his parents or legal guardian shall consent to the participation if that person is less than 18 years of age.
- (e) In an action for the violation of this section, proof that the defendant or the defendant's agent or employee demanded and was shown, before furnishing alcoholic liquor to a minor, a motor vehicle operator's or chauffeur's license or a registration certificate issued by the federal selective service, or other bona fide documentary evidence of the age and identity of that person, shall be a defense to an action brought under this section.

- (f) As used in this section:

Corrective action means action taken by a licensee or a clerk, agent, or employee of a licensee designed to prevent a minor from further possessing or consuming alcoholic liquor on the licensed premises. Corrective action includes, but is not limited to, contacting a law enforcement agency and ejecting the minor and any other person suspected of aiding and abetting the minor.

Diligent inquiry means a diligent good faith effort to determine the age of a person, which includes at least an examination of an official Michigan operator's or chauffeur's license, an official Michigan personal identification card, or any other bona fide picture identification which establishes the identity and age of the person.

Sec. 52-203. Purchase, consumption or possession by person less than 21 years of age.

- (a) A minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, or possess or attempt to possess alcoholic liquor, except as provided in this section. A minor who violates this subsection is guilty of a misdemeanor punishable by the following fines and sanctions:
- (1) For the first violation, a fine of not more than \$100.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code (MCL 333.6107), and designated by the state administrator of substance abuse services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his own expense as described in subsection (c) of this section.
 - (2) For a violation of this subsection following a prior conviction or juvenile adjudication for a violation of this subsection or section 33b(1) of former Public Act No. 8 of 1933 (Ex. Sess.), a fine of not more than \$200.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code (MCL 333.6107), and designated by the state administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his own expense as described in subsection (c) of this section.
 - (3) For a violation of this subsection following two or more prior convictions or juvenile adjudications for a violation of this subsection or section 33b(1) of former Public Act No. 8 of 1933 (Ex. Sess.), a fine of not more than \$500.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the Public Health Code (MCL 333.6107), and designated by the state administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his own expense as described in subsection (c) of this section.
- (b) A person who furnishes fraudulent identification to a minor, or, notwithstanding subsection (a) of this section, a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.
- (c) The court may order the person convicted of violating subsection (a) of this section to undergo screening and assessment by a person or agency as designated by the substance abuse coordinating agency as defined in section 6103 of the Public Health Code (MCL 333.6103), in order to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs.

- (d) The secretary of state shall suspend the operator's or chauffeur's license of an individual convicted of violating subsection (a) or (b) of this section as provided in section 319 of the Michigan Vehicle Code (MCL 257.319).
- (e) A police officer who has reasonable cause to believe a minor has consumed alcoholic liquor may require the person to submit to a preliminary chemical breath analysis. A police officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a criminal prosecution to determine whether the minor has consumed or possessed alcoholic liquor. A minor who refuses to submit to a preliminary chemical breath test analysis as required in this subsection is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$100.00.
- (f) A law enforcement agency, upon determining that a person less than 18 years of age who is not emancipated under Public Act No. 293 of 1968 (MCL 722.1 et seq.) allegedly consumed, possessed, purchased, or attempted to consume, possess, or purchase alcoholic liquor in violation of subsection (a) of this section, shall notify the parent, custodian, or guardian of the person as to the nature of the violation if the name of a parent, guardian, or custodian is reasonably ascertainable by the law enforcement agency. The notice required by this subsection shall be made not later than 48 hours after the law enforcement agency determines that the person who allegedly violated subsection (a) of this section is less than 18 years of age and not emancipated under Public Act No. 293 of 1968 (MCL 722.1 et seq.). The notice may be made by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first class mail. If an individual less than 17 years of age is incarcerated for violating subsection (a) of this section, his parents or legal guardian shall be notified immediately as provided in this subsection.
- (g) This section does not prohibit a minor from possessing alcoholic liquor during regular working hours and in the course of his employment if employed by a person licensed by the Michigan Liquor Control Code of 1998 (MCL 436.1101 et seq.), by the state liquor control commission, or by an agent of the commission, if the alcoholic liquor is not possessed for his personal consumption.
- (h) This section does not limit the civil or criminal liability of the vendor or the vendor's clerk, servant, agent, or employee for a violation of the Michigan Liquor Control Code of 1998 (MCL 436.1101 et seq.).
- (i) The consumption of alcoholic liquor by a minor who is enrolled in a course offered by an accredited post-secondary educational institution in an academic building of the institution under the supervision of a faculty member is not prohibited by this section if the purpose of the consumption is solely educational and is a requirement of the course.
- (j) The consumption by a minor of sacramental wine in connection with religious services at a church, synagogue, or temple is not prohibited by this section.
- (k) Subsection (a) of this section does not apply to a minor who participates in either or both of the following:
 - (1) An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the person's employer and with the prior approval of the city attorney's office as part of an employer-sponsored internal enforcement action.
 - (2) An undercover operation in which the minor purchases or receives alcoholic liquor under the direction of the state police, the state liquor control commission, or a local police agency as part of an enforcement action unless the initial or contemporaneous purchase or receipt of alcoholic liquor by the minor was not under the direction of the state police, the commission, or the local police agency and was not part of the undercover operation.

- (l) The state police, the commission, or a local police agency shall not recruit or attempt to recruit a minor for participation in an undercover operation at the scene of a violation of subsection (a) of this section, section 801(2) of the Liquor Control Act of 1998 (MCL 436.1801(2)), or section 6-3(a).

Sec. 52.204. Consumption in public place.

Alcoholic liquor shall not be consumed on a public street or in a park or any other public place, including any store or establishment doing business with the public not licensed to sell alcoholic liquor for consumption of alcoholic liquor therein. This section does not apply to locations designated by the City in accordance with MCL 436.1551 (Social District).

Sec. 52-205. Possession of open container in public place.

A person who shall be found upon any public street, park, or other public place, having in his possession an open receptacle or container containing alcoholic liquor, shall be deemed guilty of an offense. This section does not apply to locations designated by the City in accordance with MCL 436.1551 (Social District).

Sec. 52-206. Public intoxication.

It is unlawful for any person to be intoxicated in a public place and either endanger directly the safety of another person or of property or act in a manner that causes a public disturbance.

Article III. MARIHUANA

Sec. 52.301. Proviso

Sec. 52.302. Public Consumption and Visibility

Sec. 52-303. Possession

Sec. 52-304. Activities Affecting Persons Under 21 Years of Age

Sec. 52-305. Transfer / Sale

Sec. 52-306. Authorized Establishments

Sec. 52-307. Schedule of Civil Fines & Penalties

Sec. 52-301. Proviso.

Nothing contained in this Article shall limit any privileges, rights, immunities or defenses otherwise allowed by the MRTMA or the Michigan Medical Marihuana Act ("MMMA").

Sec. 52.302. Public Consumption and Visibility.

- (a) No person shall consume marihuana in a public place, or smoke marihuana where prohibited by the person who owns, occupies, or manages the property.
- (b) No person shall cultivate marihuana plants if the plants are visible from a public place without the use of binoculars, aircraft, or other optical aids or cultivate marihuana plants outside of an enclosed area equipped with locks or other functioning security devices that restrict access to the area.

Sec. 52.303. Possession.

No person shall possess more than 2.5 ounces of marihuana (of which 15 grams / 0.529 ounces may be concentrate), cultivate more than 12 marihuana plants, or process more than 2.5 ounces of marihuana. A person may possess more than 2.5 ounces, but not more than 10 ounces, of marihuana within a person's place of residence if stored in a container or area equipped with locks or other functioning security devices that restrict access to the contents of the container area.

Sec. 52.304. Activities Affecting Persons Under 21 Years of Age.

- (a) No person less than 21 years of age shall grow or cultivate marihuana, manufacture marihuana, distribute, transfer or sell marihuana, possess marihuana, use or consume marihuana.
- (b) No person less than 21 years of age shall use, manufacture, possess, purchase, distribute, transfer, or sell marihuana accessories.
- (c) No person, regardless of age, shall possess marihuana accessories, possess marihuana, or consume marihuana on the grounds of a public or private school where children attend classes in preschool programs, kindergarten programs, or grades 1 through 12, or in a school bus.

Sec. 52.305. Transfer / Sale.

- (a) No person shall sell marihuana outside of a person authorized to do so within an establishment licensed pursuant to the MRTMA.
- (b) Pursuant to MRTMA, a person 21 years or older may give, deliver, or transfer to another person 21 years or older, without receiving any payment (without remuneration), up to 2.5 ounces of marihuana. No person shall give, deliver, sell, or otherwise transfer any amount of marihuana or marihuana accessories to a person under 21 years old.

Sec. 52.306. Authorized Establishments.

Pursuant to MRTMA, MCL Section 333.27956, the City shall prohibit marihuana establishments within its boundaries. A violation of this section is a civil infraction with a civil fine of \$500 (per occurrence). Each day of violation shall be deemed a separate occurrence and fines shall accumulate daily.

Sec. 52.307 Schedule of Civil Fines & Penalties.

Fines shall be pursuant to Section 2-404 of the Code.

Summary	Fines & Penalties (Per Occurrence)
Consume in public	FINE + forfeiture of any amount of marihuana more than legal limit
Cultivate in public view	FINE + forfeiture of any amount of marihuana more than legal limit
Possess more than legal amount	FINE + forfeiture of any amount of marihuana more than legal limit
Sales not licensed - Less than legal amount to possess	FINE
Sales not licensed – More than legal amount to possess	FINE + forfeiture of any amount of marihuana more than legal limit
Minor in possession of marihuana in any amount	FINE + forfeiture of all marihuana
Minor in possession of marihuana accessories	FINE + forfeiture of all accessories
Possession on school property of marihuana or marihuana accessories (by a person 21 or older)	FINE + forfeiture of any amount of marihuana more than legal limit and forfeiture of all accessories
Sale or transfer of marihuana or marihuana accessories to a minor (by a person 21 or older)	FINE + forfeiture of any amount of marihuana more than legal limit / forfeiture of all accessories
Sale or transfer of marihuana or marihuana accessories to a minor (by a minor)	FINE + forfeiture of all marihuana and all accessories
<i>For a third offense, and each subsequent offense thereafter, a person possessing more than the legal amount but less than twice, or for a person possessing more than twice the legal amount, the offense should be cited as misdemeanor pursuant to MCL 333.27965.</i>	

Article IV. DRUG PARAPHERNALIA

Sec. 52-401. Sale prohibited.

Sec. 52-402. Use prohibited.

Sec. 52-401. Sale prohibited.

[State Law reference— Sale of drug paraphernalia prohibited, MCL 333.7453, 333.7457.]

- (a) Subject to subsection (b) of this section, a person shall not sell or offer for sale drug paraphernalia, knowing that the drug paraphernalia will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance.
- (b) Before a person is arrested for a violation of subsection (a) of this section, the city attorney shall notify the person in writing, not less than two business days before the person is to be arrested, that the person is in possession of specific, defined material that has been determined by the city attorney to be drug paraphernalia. The notice also shall request that the person refrain from selling or offering for sale the material and shall state that, if the person complies with the notice, no arrest will be made for a violation of subsection (a) of this section.
- (c) If a person complies with a notice sent under subsection (b) of this section, the compliance is a complete defense for the person against a prosecution under this section, as long as the compliance continues.
- (d) This section does not apply to any of the following:
 - (1) An object sold or offered for sale to a person licensed under article 15 of the Occupational Code 1980 PA 299, MCL 339.101 to 339.2721, or any intern, trainee, apprentice, or assistant in a profession licensed under such article 15 or for use in that profession.
 - (2) An object sold or offered for sale to any hospital, sanitarium, clinical laboratory, or other health care institution, including a penal, correctional, or juvenile detention facility, for use in that institution.
 - (3) An object sold or offered for sale to a dealer in medical, dental, surgical, or pharmaceutical supplies.
 - (4) Equipment, a product, or material which may be used in the preparation or smoking of tobacco or smoking herbs other than a controlled substance.
 - (5) A blender, bowl, container, spoon, or mixing device not specifically designed for a use described in the definition of "drug paraphernalia" in section 52-101.
 - (6) A hypodermic syringe or needle sold or offered for sale for the purpose of injecting or otherwise treating livestock or other animals.
 - (7) An object sold, offered for sale, or given away by a state or local governmental agency or by a person specifically authorized by a state or local governmental agency to prevent the transmission of infectious agents.

Sec. 52-402. Use prohibited.

[State Law Reference –MCL 333.7453, 333.7457]

A person shall not possess drug paraphernalia with intent to use the paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance.

ARTICLE V. TOBACCO USE and VAPING by MINORS

Sec. 52-501. Purchase, consumption or possession of tobacco products by minors.

Sec. 52-502. Furnishing tobacco products to minors.

Sec. 52-501. Purchase, consumption or possession of tobacco products by minors.

[State Law Reference – Prohibited conduct by minor (misdemeanor) MCL 722.642]

A person who is less than 21 years of age shall not do any of the following:

- (a) Purchase or attempt to purchase a tobacco product, vapor product, or alternative nicotine product.
- (b) Possess or attempt to possess a tobacco product, vapor product, or alternative nicotine product.
- (c) Use a tobacco product, vapor product, or alternative nicotine product.

Sec. 52-502. Furnishing tobacco products to minors.

[State Law Reference – Selling, giving, or furnishing tobacco products to minor prohibited (misdemeanor) MCL 722.641]

No person shall offer to sell, give, or furnish a tobacco product, vapor product or alternative nicotine product to a person who is less than 21 years of age. Before selling, offering for sale, giving, or furnishing a tobacco product, vapor product, or alternative nicotine product to an individual, a person shall verify that the individual is at least 21 years of age by examining a government issued photographic identification that establishes that the individual is at least 21 years of age. This verification requirement does not apply to those persons that visually appear to be older than 27 years of age.