

Can county halt drug sales?

Oakland panel questions own legal power

By Tim Richard
staff writer

Unsure whether they have power to pass an anti-drug ordinance, a panel of Oakland County commissioners tossed the question to its legal adviser.

"None of us opposes the concept," said Commissioner Dennis Aaron, D-Oak Park, in the general government committee.

"The question is whether we have the legal right to do it. Without a written opinion, I'm reluctant."

Aaron, an attorney in private life, noted the county board has passed ordinances on lakes and to create a county library board.

But a county-level ordinance on drugs is something new — and a subject usually treated by state laws and city ordinances, commissioners agreed.

THE COMMITTEE voted 5-1 Monday to seek an opinion from the corporation counsel, the county's civil lawyer.

Minutes later it voted 6-0 to endorse a state Senate bill prohibiting the sale of drug paraphernalia.

"My concern," said Commissioner Ralph Nelson, R-Rochester, "is whether we are pre-empted by local ordinances."

"I'd want to know if (county) is pre-empted," agreed general government committee Chairman Jack Olsen, R-Huntington Woods.

"Who would be the enforcing officer? And where would actions be filed?" asked Aaron.

"ANY AGENCY could enforce it," answered Commissioner Betty Fortino, D-Waterford, chief sponsor of the ordinance proposal. "I have spoken with corporation counsel."

Co-sponsor James Doyon, D-Madison Heights, urged the committee to report out the ordinance to the full county board promptly, contingent on the legal opinion.

Fortino and Doyon appeared before the general government committee to make their case, although they are not members of that panel.

"Local cities have conflicting ordinances," Doyon said. "One thing we're looking for is uniformity. This ordinance will serve us until there is a state law."

THE LEGISLATIVE measure,

'Paraphernalia' defined

The proposed Oakland County ordinance defines "drug paraphernalia" as:

- Cocaine spoon — a spoon with a bowl too small for typical use.
- Marijuana or hashish pipe — a pipe with a small bowl not designed for ordinary tobacco.
- Empty gelatin capsule, hypodermic syringe or any instrument

primarily for the administration of drugs.

Only health care professionals and businesses serving them could sell or supply such paraphernalia.

Punishment for selling, offering for sale, displaying or giving away such paraphernalia: a \$500 fine and 90 days in jail. Each day of violation would be a separate offense.



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Oakland club wins at Lotto

An Oakland County lottery club, aptly named the Windfall Seven Partnership, has begun collecting a \$3.5 million share of the Super Lotto Jackpot from the Sept. 6 drawing.

Lottery officials reported that club members David Rosenman of Farmington Hills and Karen Marx of West Bloomfield received an initial prize payment of \$175,000. Their

ticket was purchased at the Bloomfield Wine Rack.

The same payments will be paid annually through the year 2005.

The first half of the \$7 million Jackpot was awarded earlier this month to Howena M. Rudolph of Dearborn Heights.

The new award was the second from Super Lotto won by a lottery club. Lottery clubs are the only method for a prize to be awarded to more than one individual and require a federal tax number obtained through the Internal Revenue Service.

New legal aide named

Linda Wasielewski, 33, of Troy, will become Oakland County's first assistant corporation counsel effective Sept. 28. County Executive Daniel T. Murphy announced.

She reports to Jack Hays, corporation counsel, and will earn \$48,127 in the new post.

A 1978 graduate of Wayne State University Law School, Wasielewski joined county government in 1979 as a court research attorney and in 1980 moved to the corporation counsel's office.

Zero percent pays for AMC

American Motors posted an 84 percent increase in domestic car sales and a 92 percent increase in Jeep vehicle sales in the second 10 days of September, compared with the same period in August.

Reason is the successful 0 percent financing program, Peter G. Gupilli, group vice president for North American Sales and Marketing, announced from AMC's Southfield headquarters.

"The response to our 0 percent financing program has been fantastic and our sales volume continues to increase even though the supply of vehicles is diminishing," Gupilli said. "The showroom traffic has been steady and our program will run until Oct. 8."

The program, which includes 0 percent on 24-month contracts, 2.9 percent financing on 36-month contracts, and 5.9 percent on 48-month contracts, also includes rebates ranging from \$600 to \$800.

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