MSU Drug and Alcohol Policy

MSU’s compliance with provisions of the Drug-Free Schools and Communities Act Amendments of 1989 applying to students is achieved through a comprehensive alcohol and other drug prevention program, which includes policy enforcement, education programs, and treatment services.

The MSU Drug and Alcohol Policy applies to all members of the University community – faculty, staff, and students. That Policy defines prohibited behavior and outlines consequences for violations. Also described are educational and counseling resources. Additional regulations specifically addressing student behaviors related to alcohol and other drugs can be found in Spartan Life OnLine.

As outlined more fully in the Policy, General Student Regulations 2.06 and 2.07 prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students on University property or as part of any of its activities. Consistent with state and federal law, MSU maintains a workplace free from the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance. The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illicit drugs, and alcohol are prohibited on any property under the control of and governed by the Board of Trustees of Michigan State University, and at any site where work is performed by individuals on behalf of the University.

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ALCOHOL AND OTHER DRUG RESOURCES FOR STUDENTS

Olin Health Center
Health Education Services
353-0718
Olin Health Center’s Health Education Services is committed to reducing the harm associated with high risk alcohol and drug use, and cultivating an environment in which moderate use is perceived and practiced as the norm. Prevention efforts reflect a philosophy that students are capable of making wise decisions about their own alcohol and drug use. The role of Olin Health Education Alcohol, Tobacco and Other Drugs (ATOD) is to provide the education, support, and advocacy necessary to help students do just that.
The ATOD program coordinates a social norms campaign (also known as “The Ducks”) to promote a better understanding of alcohol use by the MSU student population and challenge the prevailing myths and misperceptions that often lead to high-risk consumption.

In partnership with the B.R.A.D. Foundation, the ATOD program reaches out to all MSU students on their 21st birthday to wish them a happy, safe birthday, and provide education about the risks associated with some extreme 21st birthday celebration practices.

The ATOD program also provides interactive educational sessions for classroom infusion or as a sponsored event by a registered student organization. The primary emphasis of these presentations is on basic knowledge, harm reduction, and risk management. The “Make the Call” program is provided as part of the Greeks Stay Strong program, and uses data and information specific to the Greek community.

Olin Health Education has a variety of information available to both on and off-campus students, resident assistants, staff, and faculty regarding alcohol and other drugs, including tobacco. This includes e-CHUG, a personalized, evidence-based, online survey designed to assess individual drinking patterns. Freshman and transfer students are required to complete e-CHUG as part of their orientation to MSU.

The ATOD specialist on staff is available as a consultant to parents, concerned friends, mentors, and staff/faculty who may have concerns about a student’s use. The ATOD specialist will also provide brief counseling and referral services to students who are concerned about their own use of alcohol and drugs.

Finally, the ATOD office works with community groups, student groups, city officials, and campus decision-makers to advise on policies related to health and safety issues associated with alcohol, tobacco, and other drug use.

**MSU Counseling Center**
**355-8270 or 355-2310**

The MSU Counseling Center provides the following services:
- Consultation and Intervention Services
- Assessment and Referral Services
- Individual and Group Counseling Services

Requests for services that are secondary to alcohol or other drug-related legal involvement, such as driving under the influence or drug possession/trafficking, are referred to service providers in the community.

**Thinking About Drinking**

Thinking About Drinking is an informational website created by the University Physician’s Office and Health4U, designed to offer a safe, confidential way for individuals to take stock of their drinking habits. The site provides evidence-based data and validated tools to help people learn about how drinking can affect their health, relationships, work, and personal life. Please visit [http://thinkingaboutdrinking.msu.edu](http://thinkingaboutdrinking.msu.edu) for additional information.

**ALCOHOL AND OTHER DRUG RESOURCES FOR FACULTY AND STAFF**

**MSU Employee Assistance Program**
**355-4506 or 888-280-9478**

The Employee Assistance Program provides education, assessment, and referral for persons concerned about alcohol or substance dependency for themselves or family members. The EAP is staffed by mental health and substance abuse professionals who are licensed in the State of Michigan. The counselors are able to assist in identifying alcohol and drug abuse patterns, obtaining appropriate ongoing treatment, and serving as advocates for those on the path...
to recovery. Visits to the EAP are confidential. The EAP is available to all faculty, staff and retirees; their partners and spouses; and their benefits-eligible children and dependents. Eligible individuals may receive six counseling sessions at no cost.

The EAP is located at Olin Health Center, 463 E. Circle Drive. To make an appointment with a counselor, please call 355-4506 or 888-280-9478, or visit http://eap.msu.edu/index.html.

**MSU Psychological Clinic**

**355-9564**
The MSU Psychological Clinic provides a wide range of services to the general public, including treatment for alcohol and drug abuse. It is staffed by clinicians enrolled in the MSU Clinical Psychology doctoral program and the MSU Clinical Psychology faculty. All clinicians are supervised by experienced Ph.D. psychologists. Fees for services at the clinic are set on an income-adjusted basis. The clinic is located in the MSU Psychology Building in East Lansing. For additional information or to schedule an appointment, please call 355-9564 or visit http://psychology.msu.edu/Clinic/.

**MSU Psychiatric Clinic**

**353-3070**
The Department of Psychiatry is part of the MSU Health Team and provides comprehensive evaluation and treatment for a wide variety of substance abuse and mental health disorders. For further information, please call 353-3070 or visit http://www.psychiatry.msu.edu/index.html.

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**HEALTH RISKS AND MEDICAL CONSEQUENCES OF ALCOHOL AND DRUG ABUSE**

For high-risk alcohol and illegal drug use can cause serious problems. Illegal drug use includes the use of illicit drugs, as well as misuse of prescription drugs. Combining alcohol and drugs can greatly increase health risks.

Major health risks of alcohol and drug abuse include addiction, acute and chronic illness, and death. Other health risks include short-term memory problems, learning impairments, and mood swings. Side effects such as impaired judgment, slowed response time, mental confusion, and decreased motor coordination can lead to accidents, motor vehicle crashes, and injuries. Abuse of alcohol and illegal drugs presents significant short-term and long-term health risks and medical consequences:

- Marijuana use causes short-term memory problems and slowed reaction time. It can also cause anxiety, depression, paranoia, and a distorted sense of time. Residual effects, such as sleep interference, can last for days. The risks increase with heavy use, resulting in psychological addiction, and low sperm count and quality in males.
- Alcohol abuse can result in liver damage and disease, gastrointestinal problems, and brain damage.
- Club drugs (MDMA, GHB, Rohypnol, ketamine, meth, LSD, etc.) can cause serious health problems, and in some cases, death. Because some club drugs are colorless, tasteless and odorless, they can be added to beverages to sedate or intoxicate someone. These drugs can be used with the intent to commit sexual assaults.
- Long-term use of stimulants (uppers, including speed, crack, methyl, crystal, etc.) may cause permanent damage to the brain, heart, lungs, and other organs.
• The use of cocaine and amphetamines can cause a heart attack. A person can die from a single minute dose of cocaine.
• Depressants (alcohol, marijuana, tranquilizers, valium, anti-anxiety medication, allergy medicines, cold medicine, sedatives, alcohol-containing medicines, etc.) can greatly increase the risk of accidents and automobile crashes because they affect vision, depth perception, coordination, and other physical skills. Psychological side effects include poor concentration, impaired judgment, and lowered inhibitions. Driving under the influence of legal medication may result in a DUI violation.
• Long-term or heavy use of depressants can lead to an addiction, impaired sexual function, chronic sleep problems, respiratory distress, or death.
• The risk of overdosing on alcohol or any drug can lead to a coma or cause death.

Drug abuse has psychological and social consequences as well, including loss of intimacy, friends, job, and marriage; creation of a dysfunctional family system; and heightened feelings of depression, anxiety, low self-esteem, guilt, and loneliness.

FEDERAL AND STATE PENALTIES FOR DRUG SALE AND POSSESSION
The federal government decides if and how a drug should be controlled. Psychoactive (mindaltering) chemicals are categorized according to Schedule I to V. This schedule designates if the drug can be prescribed by a physician and under what conditions. Factors considered in this categorization include a drug’s known and potential medical value, its potential for physical or psychological dependence, and risk, if any, to public health. Penalties for the illegal sale or distribution of a drug are established using the designation of Schedule I to V. The State of Michigan designates controlled substances as Schedule 1 through 5, using similar definitions to those employed by the federal government. The State of Michigan schedule designations of individual drugs are similar, but not identical to those of the federal government.

Schedule I drugs have a high potential for abuse, have no currently accepted medical use in the United States, and lack acceptable safety for use under medical supervision. Examples of substances listed in Schedule I include heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), peyote, methaqualone, and 3,4-methylenedioxymethamphetamine (ecstasy). Marinol, a synthetic cannabinoid, is currently a Schedule III substance, and GHB (gammahydroxybutyrate) can be a Schedule I or III drug, depending on its form.

Schedule II drugs have currently accepted medical use in the United States, despite a high potential for abuse that may lead to severe psychological or physical dependence. Examples include opium, morphine, methadone, oxycodone, hydrocodone, codeine, some barbiturates, cocaine, amphetamines, and phencyclidine (PCP).

Federal and State of Michigan penalties for selling Schedule I and II drugs vary with the type and quantity of the drug. Additionally, if death, rape, or serious injury is associated with the use of the drug and/or if it is a second offense, penalties are more severe.

Unless otherwise specified by federal law, the federal penalty for the first offense involving a Schedule I or II controlled substance, GHB, or 1 gram of flunitrazepam (Schedule IV) is imprisonment for not more than 20 years. If death or serious bodily injury results from the use of such substances, the penalty is imprisonment for not less than 20 years or more than life, a fine not to exceed $1 million for an individual, or both.

The State of Michigan’s penalty for unlawful manufacture, delivery, or possession with intent to deliver less than 50 grams of a Schedule 1 or 2 controlled substance is imprisonment for up to 20 years, and/or a fine of up to $25,000. Use of a Schedule 1 or 2 controlled substance is a misdemeanor that has a penalty of imprisonment for up to one year, a fine of up to $2,000, or both. Michigan law also provides for up to seven years imprisonment and/or a fine of not more than
$5,000 for individuals who manufacture, deliver, or possess with intent to manufacture or deliver gamma-butyrolactone (GBL), a compound related to GHB.

For less than 50 kilograms of marijuana, except in the case of 50 or more marijuana plants regardless of weight, 10 kilograms of hashish, or one kilogram of hashish oil, the federal penalty is imprisonment for not more than 5 years, a fine not to exceed $250,000 for an individual, or both. In Michigan, the “unlawful manufacture, delivery, or possession with intent to deliver” of less than 5 kilograms of marijuana or a mixture containing marijuana, or fewer than 20 marijuana plants, is a felony punishable by imprisonment for up to four years, a fine of up to $20,000, or both. Possession of marijuana is a misdemeanor, punishable by imprisonment for up to one year, a fine of not more than $2,000, or both. Use of marijuana is also a misdemeanor, punishable by imprisonment for not more than 90 days, a fine of up to $100, or both.

**Schedule III** drugs have a potential for abuse that is less than Schedule I and II substances, and abuse may lead to moderate or lower physical dependence or high psychological dependence. Examples include certain combination narcotic products such as Vicodin® and Tylenol with codeine®, buprenorphine, ketamine, and anabolic steroids such as oxandrolone. **Schedule IV** drugs have a low potential for abuse relative to substances in Schedule III. Examples include propoxyphene (Darvon® and Darvocet-N 100®), alprazolam (Xanax®), clonazepam (Klonopin®), diazepam (Valium®), lorazepam (Ativan®), and midazolam (Versed®). **Schedule V** drugs have a low potential for abuse relative to substances listed in Schedule IV and consist primarily of preparations containing limited quantities of certain narcotics that are used for antitussive, antiarrheal, and analgesic purposes, such as Robitussin AC® and Phenergan with Codeine®.

Except as otherwise provided by federal law, the penalty for first offense sale of a Schedule III drug is imprisonment for not more than ten years, a fine of not more than $500,000 for an individual, or both. The federal penalty for first offense sale of Schedule IV drugs is imprisonment for not more than five years, a fine of not more than $250,000 for an individual, or both. The federal penalty for first offense sale of Schedule V drugs is imprisonment for not more than one year, a fine of not more than $100,000 for an individual, or both.

The State of Michigan’s penalty for unlawful manufacture, delivery, or possession with intent to deliver less than 50 grams of certain Schedule 1 or 2 controlled substances is imprisonment for not more than 20 years, a fine of not more than $25,000, or both. The penalty for other Schedule 1 or 2 controlled substances and Schedule 3 controlled substances is imprisonment for not more than seven years, a fine of not more than $10,000, or both. The penalty for Schedule 4 controlled substances is imprisonment for not more than four years, a fine of not more than $2,000, or both.

The penalty for Schedule 5 controlled substances is imprisonment for not more than two years, a fine of not more than $2,000, or both. The State of Michigan’s penalty for use of certain Schedule 1 and 2 controlled substances is imprisonment for not more than one year, a fine of not more than $2,000, or both. The penalty for use of lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocin, psilocybin, or a controlled substances classified in Schedule 5 is imprisonment for not more than six months, a fine of not more than $500, or both. Use of all other Schedule 1, 2, 3 and 4 controlled substances is punishable by imprisonment for not more than one year, a fine of not more than $1,000, or both.

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<thead>
<tr>
<th>VIOLATION</th>
<th>SUMMARY OF VIOLATION</th>
<th>SUMMARY OF POSSIBLE PENALTIES</th>
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<tbody>
<tr>
<td>OWI (drunk driving)</td>
<td>A person licensed or not, under the influence of alcohol, drugs, or both, driving in public place.</td>
<td>First offense: Misdemeanor, not more than 93 days in jail, and/or fine of $100-$500, and/or community service not more than 360 hours. As part of sentence, court may order suspension and/or restrictions of operator’s license. Vehicle forfeiture or immobilization may also be required. Up to six points may be added to driver record.</td>
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<tr>
<td>Permitting person under the influence to drive</td>
<td>Allowing intoxicated person to drive in area open to the public.</td>
<td>Misdemeanor: not more than 93 days in jail, or fine not less than $100 or more than $500, or both; vehicle can be impounded.</td>
</tr>
<tr>
<td>Minor possessing or transporting in motor vehicle</td>
<td>Person under 21 years may not possess or transport alcohol in a vehicle (Does not apply to transport of alcohol by a minor if a person of at least 21 years of age is present inside the motor vehicle.)</td>
<td>Misdemeanor: fine of not more than $100, and may be ordered to perform community service and undergo substance abuse screening and assessment at own expense; vehicle can be impounded for up to 30 days. License sanctions may also be imposed.</td>
</tr>
<tr>
<td>Operating while visibly impaired (OWVI)</td>
<td>A person driving in areas open to public while impaired from alcohol, drugs, or both.</td>
<td>First Offense: community service for not more than 360 hours; and/or imprisonment for not more than 93 days; and/or a fine of not more than $300. May be required to immobilize vehicle. Restrictions on driver license may also be imposed.</td>
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<tr>
<td>Operating with any presence of a Schedule 1 drug (OWPD)</td>
<td>A person driving in areas open to the public with any amount of a Schedule 1 or other designated controlled substance in the body.</td>
<td>One or more of: community service for not more than 360 hours; imprisonment for not more than 93 days; or a fine of not less than $100 or more than $500. The vehicle may be ordered immobilized.</td>
</tr>
<tr>
<td>Purchase/possession/consumption by minor</td>
<td>Person under 21 years of age may not purchase, possess, or consume alcohol.</td>
<td>Misdemeanor: first arrest, a fine of not more than $100, or court ordered diversion; second arrest, not more than $200, and/or up to 30 days imprisonment if in violation of probation due to preceding violation or for failure to follow court orders regarding preceding violation; third or subsequent violation, fine of not more than $500, and/or up to 60 days imprisonment if in violation of probation due to preceding violation or for failure to follow court orders regarding preceding violation. May be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services. May be ordered to perform community service and undergo substance abuse screening and assessment at own expense. Licensing sanctions may also be imposed.</td>
</tr>
<tr>
<td>Using false ID to purchase alcohol</td>
<td>A minor shall not use fraudulent identification to purchase alcohol, nor shall another individual furnish fraudulent identification to a minor.</td>
<td>Imprisonment for not more than 93 days, a fine of not more than $100, or both.</td>
</tr>
<tr>
<td>Selling or furnishing alcohol to a minor</td>
<td>Alcohol shall not be sold or furnished to a minor.</td>
<td>First offense: a fine of not more than $1,000 and imprisonment for not more than 60 days. Second or subsequent offense: a fine of not more than $2,500 and imprisonment for not more than 90 days. Operator’s or chauffeur’s license may also be suspended. May be ordered</td>
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<td>VIOLATION</td>
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<td>Consumption on public highway/open alcohol in vehicle</td>
<td>No alcoholic beverage can be consumed on public highways; no alcohol item can be open, uncapped, or seal broken in passenger area of vehicle.</td>
<td>Misdemeanor: not more than 90 days in jail, a fine of not more than $500, or both. May be ordered to perform community service and undergo substance abuse screening and assessment at own expense. Licensing sanctions may also be imposed.</td>
</tr>
<tr>
<td>Disorderly person intoxicated</td>
<td>Intoxicated in public place and endangering the safety of another person or of property, or causing a disturbance.</td>
<td>Misdemeanor: not more than 90 days in jail, a fine of not more than $500, or both.</td>
</tr>
<tr>
<td>Minor operating with any blood alcohol content</td>
<td>Person under 21 years who is driving cannot have any bodily alcohol content.</td>
<td>First Offense: misdemeanor; a fine of not more than $250 and/or community service for not more than 360 hours. Driver license may be restricted for 30 days. Up to four points may be added to driver record. Refusal to take breathalyzer test is a two point civil infraction.</td>
</tr>
<tr>
<td>Consumption or possession of alcohol by a minor or a controlled substance at a social gathering</td>
<td>A person having control over any premises, residence, or other real property shall not knowingly allow a minor to consume or possess alcohol, or allow any individual to consume or possess a controlled substance, at a social gathering on or within that real property, unless consumption or possession of the controlled substance or alcohol is otherwise lawful.</td>
<td>First offense: imprisonment for not more than 30 days, a fine of not more than $1,000, or both. Second or subsequent offense: imprisonment for not more than 90 days, a fine of not more than $1,000, or both.</td>
</tr>
<tr>
<td>MSU ordinances</td>
<td>Use/possession of alcohol prohibited except as allowed by state law.</td>
<td>Not more than 90 days in jail, fine of not more than $100, or both.</td>
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**SUSPENSION OF ELIGIBILITY FOR FINANCIAL AID FOR DRUG-RELATED OFFENSES**

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance during the period beginning on the date of such conviction and ending after the interval specified in the following table.

If convicted of an offense involving:

<table>
<thead>
<tr>
<th>Possession of a Controlled Substance</th>
<th>Ineligibility Period</th>
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<tr>
<td>First offense</td>
<td>1 year</td>
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<tr>
<td>Second offense</td>
<td>2 years</td>
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<tr>
<td>Third offense</td>
<td>Indefinite</td>
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<th>Sale of a Controlled Substance</th>
<th>Ineligibility Period</th>
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<tbody>
<tr>
<td>First offense</td>
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<tr>
<td>Second offense</td>
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<td>Third offense</td>
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**MSU ordinances**

Use/possession of alcohol prohibited except as allowed by state law.
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<tr>
<td><strong>First Offense</strong></td>
<td><strong>2 years</strong></td>
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<tr>
<td><strong>Second Offense</strong></td>
<td><strong>Indefinite</strong></td>
</tr>
</tbody>
</table>

A student whose eligibility has been suspended based on a conviction for possession or sale of a controlled substance may resume eligibility before the end of the ineligibility period if:

(A) the student satisfactorily completes a drug rehabilitation program that –
   (i) complies with the criteria prescribed in the federal regulations; and
   (ii) includes two unannounced drug tests;
(B) the student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with the criteria prescribed in the federal regulations; or
(C) the conviction is reversed, set aside, or otherwise rendered nugatory.

**EAST LANSING ORDINANCES**

East Lansing ordinances prohibit the possession of any alcoholic beverage in an open container or a container with a broken seal in any public place or private area open to the public, except a licensed liquor establishment or elsewhere as provided by ordinance. Partying and tailgating on public property with alcoholic beverages is prohibited within the City's jurisdiction. All open alcohol containers should be kept in the tailgating area on MSU's campus when tailgating. Any person suspected of being a Minor in Possession of Alcohol (MIP) will be required to show proof of age and may be asked to take a breath alcohol test.

Directly endangering the safety of another person or property while intoxicated in a public place is prohibited. City ordinances also prohibit the use of any type of false identification to enter a bar or to purchase liquor from a carry-out store and require liquor establishments to confiscate suspected false identification and turn it over to the Police Department.

Violations of all East Lansing ordinances except Minor in Possession of Alcohol (MIP) and Open Alcohol are punishable by a maximum sentence of 90 days in jail or a $500 fine or both. Penalty for Open Alcohol is a fine up to $100 for the first violation. Second and third violations constitute misdemeanors and are punishable by not more than 90 days imprisonment and/or fines up to $250 or $500, respectively. However, if the Open Alcohol violation occurs between 8 p.m. and 6 a.m., or at any time while in a business district, the violation is punishable by a fine of not more than $500, imprisonment for not more than 90 days, or both. Maximum penalties for MIP are up to $100 for a first violation, $200 and/or up to 30 days imprisonment for a second violation, and $500 and/or up to 60 days imprisonment for a third violation. Possible community service and substance abuse screening at the violator's own expense, and participation in substance abuse prevention or treatment programs may be imposed for Open Alcohol and MIP violations. East Lansing ordinances also allow for operator's or chauffeur's license sanctions to be imposed for MIP violations.

Persons unlawfully possessing marijuana or cannabis are guilty of a misdemeanor under City of East Lansing ordinances. Violations of marijuana or cannabis ordinances are punishable by a fine of up to $25, 45 days of community service, substance abuse screening or treatment, or some combination thereof. A second offense within ten years of the first is punishable by a fine up to $100, and/or community service for not more than 90 days, and/or substance abuse screening or treatment.

Students are encouraged to become familiar with their responsibilities under East Lansing ordinances, which may be obtained at East Lansing City Hall. East Lansing Ordinances may be obtained on the internet at [http://www.cityofeastlansing.com](http://www.cityofeastlansing.com).