
VILLAGE ORDINANCE CODE

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CHAPTER 1001 - CONTENTS, INTERPRETATION
AND EFFECT OF VILLAGE CODE

An ordinance to provide for the exercise of certain municipal powers of the Village of Laurium and for the health, safety and welfare of persons and property in the Village, and to provide penalties for the violation of the provisions thereof.

The Village of Laurium ordains:

1. Publication and Distribution of Code. The within Ordinance Code is hereby adopted as an ordinance of the Village of Laurium. Seventeen copies of this Code shall be published in loose leaf form and shall be distributed as follows:

<u>Officer</u>	<u>No. Copies</u>
President	1
Each Trustee	1
Clerk	2
Attorney	1
Treasurer	1
Assessor	1
Street Commissioner (Superintendent of Public Works)	1
Marshal (Chief of Police)	2
Other Officers	2

The Clerk shall keep one of the copies of the Code assigned to him available for public inspection during office hours.

2. Effective Date. This Ordinance Code shall take effect twenty (20) days after its passage.

3. Contents of Code. This Code contains all ordinances of a general and permanent nature of the Village. Excluded from the contents of this Code are special or temporary ordinances such as ordinances granting franchises and special privileges, establishing sewer and other public improvement districts,

providing for the construction of particular sewers, streets or sidewalks, or other public works, ordinances authorizing the borrowing of money or the issuance of bonds and ordinances establishing salaries for village officers and employees. Ordinances hereafter adopted which are not of a general or permanent nature shall be numbered consecutively, authenticated, published and recorded in the record of ordinances, but shall not be prepared for insertion in this Code, nor be deemed a part hereof. The adoption of this Code shall not be interpreted as authorizing or permitting any use or the continuance of any use of a structure or premises in violation of any ordinance of the Village in effect on the effective date of this Code. All ordinances of a general and permanent nature in effect on the effective date of this Code are hereby repealed.

4. Short Title. This ordinance shall be known and cited as the "Laurium Village Code."

5. Definitions. The following words and phrases, when used in this Code and any amendment thereof or addition thereto, shall for the purposes of this Code, have the meanings respectively ascribed to them in this section, except as otherwise specifically provided or where the context clearly indicates a different meaning:

- (a) "Village" shall mean the Village of Laurium.
- (b) "Person" shall include any individual, co-partnership, corporation, association, club, joint adventure, estate, trust, and any other group or combination acting as a unit, and the individuals constituting such group or unit.

- (c) "Public place" shall mean any place to or upon which the public resorts, or travels, whether such place is owned or controlled by the Village or any agency of the State of Michigan, or is a place to or upon which the public resorts or travels by custom, or by invitation, express or implied.
- (d) "Street" or "highway" shall mean the entire width subject to an easement for public right of way, or owned in fee by the Village, County, or State, of every way or place, of whatever nature, whenever any part thereof is open to the use of the public, as a matter of right for purposes of public travel. "Alley" shall mean any such way or place providing a secondary means of ingress and egress from a property.
- (e) "Sidewalk" shall mean that portion of a street between the curb lines or lateral lines and the right of way lines which is intended for the use of pedestrians.
- (f) "Charter" shall mean Act 3 of the Public Acts of 1895, State of Michigan, in its application to the Village.

6. Amendment Procedure. This Code shall be amended by ordinance. The title of each amendatory ordinance, adapted to the particular circumstances and purposes of the amendment, shall be substantially as follows:

- (a) To amend any section:

AN ORDINANCE TO AMEND SECTION _____
(OR SECTIONS _____ AND _____) OF CHAPTER
_____ OF THE VILLAGE CODE.

- (b) To insert a new section or chapter:

AN ORDINANCE TO AMEND THE VILLAGE CODE BY
ADDING A NEW SECTION(_____ NEW SECTIONS
OR A NEW CHAPTER, as the case may be) WHICH NEW
SECTION (SECTIONS OR CHAPTER) SHALL BE DESIGNATED AS SECTION _____ (SECTIONS _____ AND
_____) OF CHAPTER _____ (or proper
designation if a chapter is added) OF SAID CODE.

(c) To repeal a section or chapter:

AN ORDINANCE TO REPEAL SECTION _____
(SECTIONS _____ AND _____ OR CHAPTER
_____) CHAPTER _____, (as the case
may be) OF THE VILLAGE CODE.

7. Publication and Distribution of Amendments. Amendments to the Code shall be published as required by section 4, Chapter VI of the Village Charter, and not less than seventeen (17) copies of each amendment shall be published in form suitable for insertion in this Code. The Clerk shall distribute such copies to the officers of the Village having copies of the Code assigned to them. Each officer assigned a copy of the Code shall be responsible for maintaining the same and for the proper insertion of amendatory pages as received. Each copy of said Code shall remain the property of the Village and shall be turned over by each officer having custody thereof upon expiration of his term of office to his successor or to the Village Clerk, in case he shall have no successor.

8. Responsibility. Whenever any act is prohibited by this Code, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing, securing, aiding, or abetting of another person to do said act.

9. Headings. No provision of this Code shall be held invalid by reason of deficiency in any chapter or section heading.

10. Title of Officer to Include Deputy or Subordinate. Whenever, by the provisions of this Code, any officer of the Village is assigned any duty or empowered to perform any act or duty, the title of said officer shall mean and include such officer or his deputy or authorized subordinate.

11. Tense. Except as otherwise specifically provided or indicated by the context, all words used in this Code indicating the present tense shall not be limited to the time of adoption of this Code but shall extend to and include the time of the happening of any act, event, or requirement for which provision is made therein, either as a power, immunity, requirement, or prohibition.

12. Notice. Notice regarding sidewalk construction or repairs, sewer or water connections, dangerous structures, abating nuisances or any other act, the expense of which if performed by the Village may be assessed against the premises under the provisions of this Code, shall, except as otherwise provided by the Village Charter, be served:

- (a) By delivering the notice to the owner personally or by leaving the same at his residence, office or place of business with some person of suitable age and discretion, or
- (b) By mailing said notice by registered or certified mail to such owner at his last known address, or
- (c) If the owner is unknown, by posting said notice in some conspicuous place on the premises for five (5) days.

No person shall interfere with, obstruct, mutilate, conceal, or tear down any official notice or placard posted by any Village office unless permission is given by said officer to remove said notice.

13. Penalty. Unless another penalty is expressly provided in this Code for any particular chapter or section, every person convicted of a violation of any provision of this Ordinance Code, shall be punished by a fine of not more than one hundred (\$100.00) dollars and costs of prosecution or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any section of this Code whether or not such penalty is re-enacted in the amendatory ordinance.

14. Severability. It is the legislative intent of the Village Council, in adopting this Code, that all provisions and sections of this Code be liberally construed to protect and preserve the peace, health, safety and welfare of the inhabitants of the Village and should any provision or section of this Code be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of any of the remaining provisions or sections, it being the intent that this Ordinance Code shall stand, notwithstanding the invalidity of any provision or section thereof. The provisions of this section shall apply to the amendment of any section or chapter of this Code and to any Chapter added hereto, whether or not the wording of this section is set forth in the amendatory ordinance.

CHAPTER 1124 - PURCHASING, CONTRACTING AND
SELLING PROCEDURE

1. Purchasing Agent. The Village Clerk shall act as Purchasing Agent of the Village, unless another officer or employee shall be designated to act as Purchasing Agent by the President in writing filed with the Clerk. The Purchasing Agent, with the approval of the President, shall adopt any necessary rules respecting requisitions and purchase orders.
 2. Purchases or Contracts under \$1000.00. Purchases of supplies, materials or equipment, the cost of which is less than \$1000.00, may be made in the open market but such purchases shall, except when the President shall determine that no advantage to the Village would result, be based on at least three (3) competitive bids and shall be awarded to the lowest responsible bidder meeting specifications. The Purchasing Agent may solicit bids verbally or by telephone, or may contact prospective bidders by written communication. A record shall be kept of all open market orders and the bids submitted thereon, which records shall be available for public inspection. Any or all bids may be rejected.
 3. Purchases or Contracts over \$1000.00. Any expenditure for supplies, materials, equipment, construction project or contract obligating the Village, where the amount of the Village's obligation is in excess of \$1000.00 shall be governed by the provisions of this section.
 - (a) Such expenditure shall be made the subject of a written contract. A purchase order shall be a sufficient written contract only in cases where the expenditure is in the usual and ordinary course of the Village's affairs and in no case shall it be sufficient for the construction of public works or the contracting for supplies or services over any period of time or where the quality of the goods or materials or the scope of the services bargained is not wholly standardized.
 - (b) Notice inviting sealed bids shall be published in some newspaper of general circulation or posted in three (3) places in
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the Village, at least five (5) days before the final date for submitting bids thereon. Such notice shall give briefly the specifications of the supplies, materials or equipment or construction project or other matter to be contracted for, and shall state the amount of bond or other security, if any is to be required, to be given with the bid, and the amount of bond or other security to be given with the contract. The notice shall state the time limit, the place of filing and the time of opening bids and shall also state that the right is reserved to reject any or all bids. Any other conditions of award of the contract shall also be stated in general terms.

- (c) The Purchasing Agent shall also solicit bids from a reasonable number of such qualified prospective bidders as are known to him by sending each a copy of the notice requesting bids.
 - (d) The Council shall prescribe the amount of any security to be deposited with any bid which deposit shall be in the form of cash, certified or cashier's check or bond written by a surety company authorized to do business in the State of Michigan. The amount of such security shall be expressed in terms of percentage of the bid submitted. The Council shall also fix the amount of the performance bond and in the case of construction contracts, the amount of the labor and material bond to be required of the successful bidders.
 - (e) Bids shall be opened in public at the time and place designated in the notice requesting bids in the presence of the President and either the Clerk or the Treasurer. The bids shall thereupon be carefully examined and tabulated and reported to the Council with the recommendation of the Purchasing Agent at the next Council meeting. After tabulation all bids may be inspected by the competing bidders.
 - (f) When such bids are submitted to the Council, the contract to be executed shall also be submitted and if the Council shall find any of the bids to be satisfactory, it shall award the contract to the lowest responsible bidder, unless the Council shall determine that the public
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interest will be better served by accepting a higher bid, and shall authorize execution of the contract upon execution of the contract by the successful bidder and the filing of any bonds which may have been required. Such award may be by resolution or ordinance. The Council shall have the right to reject any or all bids and to waive irregularities in bidding and to accept bids which do not conform in every respect to the bidding requirements.

- (g) At the time the contract is executed by him, the contractor shall file a bond executed by a surety company authorized to do business in the State of Michigan, to the Village, conditioned upon the performance of said contract and saving the Village harmless from all losses or damage caused to any person or property by reason of any carelessness or negligence by the contractor and from all expense of inspection, engineering and otherwise, caused by the delay in the completion of any improvement and further conditioned to pay all laborers, mechanics, sub-contractors and material men as well as all just debts, dues and demands incurred in the performance of such work.
- (h) All bids, deposits of cash or certified or cashier's checks may be retained until the contract is awarded and signed. If any successful bidder fails or refuses to enter into the contract awarded to him within five (5) days after the same has been awarded, or file any bond required within the same time, the deposit accompanying his bid shall be forfeited to the Village, and the Council, may, in its discretion, award the contract to the next low responsible bidder unless the Council shall determine that the public interest will be better served by accepting a higher bid, or said contract may be re-advertised.

4. Exceptions to Competitive Bidding. Subject to prior approval of the Council, competitive bidding shall not be required in the following cases:

- (a) Where the product or material contracted for is not competitive in nature, and the Purchasing Agent so certifies to the Council in writing.
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- (b) In the employment of professional services;
- (c) Where the Council shall determine that the public interest will be best served by joint purchase with, or purchase from, another unit of government.

5. Sale of Property. Whenever any personal property belonging to the Village is no longer needed for corporate or public purposes, the same may be offered for sale on approval by the Council. Personal property not exceeding one thousand (\$1000.00) dollars in value may be sold for cash by the Purchasing Agent upon approval of the President, after receiving quotations or competitive bids therefor for the best price obtainable. Personal property with a value in excess of one thousand (\$1000.00) dollars may be sold after advertising and receiving competitive bids, as provided in section 3 and after approval of the sale has been given by the Council. In the purchase of automotive equipment, bidders may include in their bid, a trade-in allowance for old equipment and such equipment may be disposed of in trade without further bidding requirements.

6. Sale of Real Estate. Real estate may be purchased or sold or leased when not required for corporate purposes, upon the affirmative vote of two-thirds of the members elect of the Council. Sales of real estate shall be subject to the requirements of section 2 of this Chapter. The notice inviting bids shall contain a brief description of the property in addition to the information specified in section 2 (b).

CHAPTER 1190 - COMPENSATION OF OFFICERS

1. President and Trustees. The President and Trustees of the Village shall receive the sum of \$16.67 per meeting for each regular meeting of the village council by them respectively attended during their term of office. Said officers shall receive no other compensation for services performed for and on behalf of said village during their term of office.

2. Other Officers. All other village officers and employees shall receive such compensation as the council shall from time to time establish by resolution. No salary paid any village officer appointed for a definite term of office shall be increased or decreased so as to be effective during the current term of such officer.

CHAPTER 2001 - REFUSE COLLECTION AND DISPOSAL

1. Definitions. In the construction and application of this Chapter the word "garbage" shall be taken to include any and all rejected or waste household food, refuse, rubbish, dirt and ashes resulting from the combustion of any material.

2. Disposal of Garbage. No ashes, garbage, rubbish, dirt nor any refuse, waste or thing which by its decomposition could or would become offensive to human beings or detrimental to health, or create or tend to create a nuisance, shall be by any person thrown or placed upon any vacant lot or land within the Village of Laurium, whether such lot be enclosed or otherwise, without the permission of the Street Commissioner. It shall be unlawful for any person to deposit or place refuse in any manner whatsoever in or upon any sidewalk, street, alley or public place in the Village of Laurium.

3. Collection and Disposal Regulations. All garbage shall be collected and deposited at such places and in such manner as may be designated by the Village Council.

4. Receptacles Required. For the proper and economical collection of garbage hereinbefore defined, every owner of or tenant occupying premises in the Village of Laurium shall provide a receptacle for such garbage and every such owner or tenant shall cause the garbage from said premises to be placed in said receptacle. The said receptacle or receptacles shall be sufficient in size to hold one week's accumulation of garbage, and shall at all times be maintained in good order. Filthy, leaking or defective receptacles shall be promptly cleaned, repaired or replaced with new ones. The garbage receptacles shall be of metal, with close fitting cover and shall be fitted with strong handles on the sides, and shall be water-tight. Garbage shall be drained of moisture and wrapped in paper before it is deposited in the receptacle. Receptacles to which garbage is frozen, through failure to observe the above regulation, and all garbage receptacles containing water or slops, will not be emptied by the collector.

All receptacles shall be subject to the approval of the Street Commissioner and so far as possible shall be placed close to the public alley abutting the property for which they are provided and easily accessible to the collector, except in the winter months when such alleys are impassable. The keeping or storing of receptacles on any street, alley, park or public place in the Village of Laurium is prohibited.

In the case of the owner or tenant occupying premises not abutting upon any alley, or if the alleys are impassable during the winter months, the Street Commissioner shall designate the time for the collection of garbage in order that such owners or tenants may place the receptacles at the curb in front of such premises for the purpose of collection.

5. Collection. It shall be the duty of the Street Commissioner to cause collection as regularly as practicable of all such garbage hereinbefore named, as shall be kept for such collection, in compliance with this Chapter.

CHAPTER 2026 - SEWER SERVICE

1. Definitions. Unless the context specifically indicates otherwise, the following definitions shall apply in the interpretation of this Chapter:

- (a) "Superintendent" shall mean the Superintendent of Public Works of the Village or his authorized deputy, agent or representative.
 - (b) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
 - (c) "Sewer" shall mean a pipe or conduit for carrying sewage.
 - (d) "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
 - (e) "Combined sewer" shall mean a sewer receiving both surface runoff and sewage.
 - (f) "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
 - (g) "Storm sewer" or "storm drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes.
 - (h) "Industrial wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
 - (i) "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
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- (j) Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- (k) "B. O. D. " (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C. , expressed in parts per million by weight.
- (l) "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

2. Waste Deposits. No person shall place or deposit in an unsanitary manner upon public or private property within the Village, any human or animal excrement, garbage, or other objectionable waste. No person shall discharge to any natural outlet within the Village, any unsanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.

3. Privies and Septic Tanks. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

4. Sewer Connection Required. The owner of each house, building and property used for human occupancy, employment, recreation, or other purpose, situated within the Village and abutting on any street, alley or right-of-way in which there is located a public sanitary or combined sewer, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Chapter and regulations supplementary hereto, within ninety (90) days after date of official notice to do so, provided that said public sewer is within one hundred (100) feet of the property line.

5. Private Sewer Systems. Where a public sanitary or combined sewer is not available under the provisions of section 4, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Chapter.

6. Permit and Fee. Before commencement of construction of a private sewage disposal system, the owner shall first obtain

a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the Village which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee of five (\$5.00) dollars shall be paid at the time the application is filed.

7. Inspection. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent.

8. Standards. The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Michigan, and shall be constructed and connected in accordance with the plumbing regulations of the Village. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

9. Discontinuance of System. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 4, a direct connection shall be made to the public sewer in compliance with this Chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

10. Maintenance of System. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village.

11. Additional Requirements. Nothing herein contained shall be construed to interfere with any additional requirements that may be imposed by the Health Officer, or otherwise limit his powers.

12. Sewer Connections. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of five (\$5.00) dollars for a building sewer permit shall be paid at the time the application is filed.

13. Separate Building Sewers. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

14. Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Chapter.

15. Installation of Building Sewer. All building sewer construction and the installation of pipes, fittings and appurtenances shall be done in accordance with Village building regulations and such supplementary rules and regulations as the Superintendent may prescribe, which shall be effective upon approval by the Council.

16. Supervision of Connection. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made by the Department of Public Works or under its immediate supervision.

17. Prohibited Uses. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than (150° F.).
 - (b) Any water or waste which may contain more than (100) parts per million, by weight, of fat, oil, or grease.
 - (c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - (d) Any garbage that has not been properly shredded.
 - (e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
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- (f) Any waters or wastes having a pH lower than (5.5) or higher than (10.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

18. Interceptors. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

19. Preliminary Treatment Facilities. The admission into the public sewers of any waters or wastes having:

- (a) A five (5) day Biochemical Oxygen Demand greater than (300) parts per million by weight, or
- (b) Containing more than (350) parts per million by weight of suspended solids, or
- (c) Containing any quantity of substances having the characteristics described in section 17, or
- (d) Having an average daily flow greater than (2%) of the average daily sewage flow of the Village,

shall be subject to the review and approval of the Superintendent.

Where necessary in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to,

- (a) Reduce the Biochemical Oxygen Demand to (300) parts per million and the suspended solids to (350) parts per million by weight, or
- (b) Reduce objectionable characteristics or constituents to within the maximum limits provided for in section 17, or
- (c) Control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the Department of Health of the State of Michigan, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

20. Measurements and Tests. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in sections 17 and 19 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," as published by the American Public Health Association.

21. Agreements. Nothing herein contained shall be construed as preventing any special agreement or arrangement between the Village and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment, subject to payment therefor by the industrial concern.

22. Protection From Damage. No unauthorized person shall maliciously, wilfully nor negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works.

CHAPTER 3012 - PARK REGULATIONS

1. Injury to Park Property. No person shall obstruct any walk or drive in any public park or playground and no person shall injure, mar or damage in any manner, any monument, ornament, fence, bridge, seat, tree, fountain, shrub, flower, playground equipment, fire-places, or other public property within or pertaining to said parks.

2. Intoxicating Liquors. No person shall bring into or drink in any Village park any alcoholic beverage.

3. Waste Containers. No person shall place or deposit any garbage, glass, tin cans, paper or miscellaneous waste in any park or playground except in containers provided for that purpose.

4. Ball Games. No person shall engage in baseball, football or softball throwing, or other violent or rough exercises or play in any public park or other public place, except in areas designated therefor by order of the Village Council.

5. Additional Rules. The Village Council may, by resolution, prescribe additional rules and regulations pertaining to the conduct and use of parks and public grounds as it shall deem necessary to administer the same and to protect public property and the safety, health, morals and welfare of the public, and no person shall fail to comply with such rules and regulations.

CHAPTER 4001 - STREET OPENINGS AND OBSTRUCTIONS

1. Definitions. Unless the context specifically indicates otherwise, the following definitions shall apply in the interpretation of this Chapter:

- (a) "Street" shall mean all of the land lying between property lines on either side of all streets, alleys and boulevards in the Village, and includes lawn extensions and side-walks and the area reserved therefor where the same are not yet constructed.
- (b) "Superintendent" shall mean the Superintendent of Public Works of the Village.

2. Damage and Obstruction Prohibited. No person shall make any excavation in, or cause any damage to any street in the Village, except under the conditions and in the manner permitted in this Chapter. No person shall place any article, thing or obstruction in any street, except under the conditions and in the manner permitted in this Chapter, but this provision shall not be deemed to prohibit such temporary obstructions as may be incidental to the expeditious movement of articles and things to and from abutting premises, nor to the lawful parking of vehicles within the part of the street reserved for vehicular traffic.

3. Permits and Bonds. Where permits are authorized in this Chapter, they shall be obtained upon application to the Superintendent, upon such forms as he shall prescribe, and there shall be a charge of one (\$1.00) dollar for each such permit. Such permit shall be revocable by the Superintendent for failure to comply with this Chapter, rules and regulations adopted pursuant hereto, and the lawful orders of the Superintendent or his duly authorized representative, and shall be valid only for the period of time endorsed thereon. Application for a permit under the provisions of this Chapter shall be deemed an agreement by the applicant to promptly complete the work permitted, observe all pertinent laws and regulations of the Village in connection therewith, repair all damage done to the street surface and installations on, over or within such street, including trees,

and protect and save harmless the Village from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the work done under the permit or in connection therewith. Where liability insurance policies are required to be filed in making application for a permit, they shall be in not less than the following amounts, except as otherwise specified in this Chapter:

- (a) On account of injury to, or death of, any person in any one accident -----\$10,000.00
- (b) On account of any one accident resulting in injury to, or death of, more than one person -----\$20,000.00
- (c) On account of damage to property in any one accident -----\$ 5,000.00

A duplicate executed copy or photostatic copy of the original of such insurance policy shall be filed with the Village Clerk.

Where cash deposits are required with the application for any permit hereunder, such deposit shall be in the amount of twenty-five (\$25.00) dollars, except as otherwise specified in this Chapter, and such deposit shall be used to defray all expenses to the Village arising out of the granting of the permit and work done under the permit or in connection therewith. Three (3) months after completion of the work done under the permit, any balance of such cash deposit unexpended, shall be refunded. In any case where the deposit does not cover all costs and expenses of the Village, the deficit shall be paid by the applicant.

4. Street Openings. No person shall make any excavation or opening in or under any street without first obtaining a written permit from the Superintendent. No permit shall be granted until the applicant shall post a cash deposit and file a liability insurance policy as required by section 3.

5. Emergency Openings. The Superintendent may, if the public safety requires immediate action, grant permission to make a necessary street opening in an emergency, provided that a permit shall be obtained on the following business day and the provisions of this Chapter shall be complied with.

6. Backfilling. All trenches in a public street or other public place, except by special permission, shall be backfilled

with approved granular material to within twelve (12) inches of the surface. On main thoroughfares, this material shall contain one (1) sack of cement per yard of fill. The remaining portion shall be filled with road gravel as specified by the Superintendent.

7. Utility Poles. Utility poles may be placed in such streets as the Superintendent shall prescribe and shall be located thereon in accordance with the directions of the Superintendent. Such poles shall be removed or relocated as the Superintendent shall from time to time direct.

8. Maintenance of Installations in Streets. Every owner of, and every person in control of, any estate hereafter maintaining a sidewalk vault, coal hole, manhole, or any other excavation, or any post, pole, sign, awning, wire, pipe, conduit or other structure in, under, over or upon, any street which is adjacent to or a part of his estate, shall do so only on condition that such maintenance shall be considered as an agreement on his part with the Village to keep the same and the covers thereof, and any gas and electric boxes and tubes thereon, in good repair and condition at all times during his ownership or control thereof, and to indemnify and save harmless the Village against all damages or actions at law that may arise or be brought by reason of such excavation or structure being under, over, in or upon the street, or being unfastened, out of repair or defective during such ownership or control.

CURB CUTS

9. Curb Cuts. No opening in or through any curb of any street shall be made without first obtaining a written permit from the Superintendent. Curb cuts and sidewalk driveway crossings to provide access to private property shall comply with the following:

- (a) No single curb cut shall exceed twenty-five (25) feet nor be less than ten (10) feet.
 - (b) The minimum distance between any curb cut and a public crosswalk shall be five (5) feet.
 - (c) The minimum distance between curb cuts, except those serving residential property, shall be twenty-five (25) feet.
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- (d) The maximum number of lineal feet of sidewalk driveway crossings permitted for any lot, parcel of land, business or enterprise, shall be forty-five (45%) per cent of the total abutting street frontage up to and including two hundred (200) lineal feet of street frontage plus twenty (20%) per cent of the lineal feet of street frontage in excess of two hundred (200) feet.
- (e) The necessary adjustments to utility poles, light standards, fire hydrants, catch basins, street or railway signs, signals, or other public improvements or installations shall be accomplished without cost to the Village.
- (f) All construction shall be in accordance with plans and specifications approved by the Superintendent.

SIDEWALK OBSTRUCTIONS

10. Sidewalk Obstructions. No person shall occupy any street with any materials or machinery incidental to the construction, demolition or repair of any building adjacent to said street, or for any other purpose, without first obtaining a permit from the Superintendent. No permit shall be granted until the applicant shall post a cash deposit and file a liability insurance policy as required by section 3 of this Chapter.

11. Pedestrian Passage. At least six (6) feet of sidewalk space shall be kept clean and clear for the free passage of pedestrians and if the building operations are such that such free passageway is impracticable, a temporary plank sidewalk with substantial railings or sidewalk shelter shall be provided around such obstruction.

SAFETY REQUIREMENTS

12. Safeguards. All openings, excavations and obstructions, shall be properly and substantially barricaded and railed off, and at night shall be provided with red warning lights. Warning lights perpendicular to the flow of traffic shall not be more than three (3) feet apart, and parallel to the flow of traffic not over fifteen (15) feet apart.

13. Shoring Excavations. All openings and excavations shall be properly and substantially sheeted and braced as a safeguard to workmen and to prevent caveins or washouts which

would tend to injure the thoroughfare or sub-surface structure of the street.

HOUSEMOVING

14. Housemoving. No person shall move, transport or convey any building or other similar bulky or heavy object, including machinery, trucks and trailers, larger in width than fourteen (14) feet, into, across or along any street, alley or other public place in the Village without first obtaining a permit from the Superintendent. Such permit shall specify the route to be used in such movement and no person shall engage in such movement along a route other than that specified in the permit. No housemoving permit shall be granted until the applicant shall post a cash deposit in the amount of fifty (\$50.00) dollars and file a liability insurance policy as required by section 3 of this Chapter.

15. Removal of Encroachment. Encroachments and obstructions in the street may be removed and excavations refilled and the expense of such removal or refilling charged to the abutting land owner when made or permitted by him or suffered to remain by him, otherwise than in accordance with the terms and conditions of this Chapter. The procedure for collection of such expenses shall be as prescribed in sections 19, 20 and 21 of Chapter VIII of the Charter.

16. Temporary Street Closings. The Superintendent shall have authority to temporarily close any street, or portion thereof, when he shall deem such street to be unsafe or temporarily unsuitable for use for any reason. He shall cause suitable barriers and signs to be erected on said street, indicating that the same is closed to public travel. When any street or portion thereof shall have been closed to public travel, no person shall drive any vehicle upon or over said street except as the same may be necessary incidentally to any street repair or construction work being done in the area closed to public travel. No person shall move or interfere with any sign or barrier erected pursuant to this section without authority from the Superintendent.

CHAPTER 4024 - SIDEWALKS

1. Definitions. The following definitions shall apply in the interpretation of this Chapter.

- (a) "Sidewalk" shall mean the portion of the street right-of-way designed for pedestrian travel.
- (b) "Superintendent" shall mean the Superintendent of Public Works of the Village.

2. Specifications and Permits. No person shall construct, rebuild or repair any sidewalk except in accordance with the line, grade, slope and specifications established for such sidewalk, nor without first obtaining a written permit from the Superintendent, except that sidewalk repairs of less than fifty (50) square feet of sidewalk may be made without a permit. The fee for such permit shall be one (1¢) cent per square foot and a minimum of one (\$1.00) dollar.

3. Line and Grade Stakes. The Superintendent shall furnish line and grade stakes as may be necessary for proper control of the work, but this shall not relieve the owner of responsibility for making careful and accurate measurements in constructing the work to the lines furnished by the Superintendent. Where it is necessary to replace engineer's stakes disturbed or destroyed without fault on the part of the Village, or its employees, a charge of one (\$1.00) dollar per stake shall be paid.

4. Sidewalk Specifications. Sidewalks shall not be less than four (4) inches in thickness and expansion paper shall be placed in the joints. All concrete used in sidewalk construction shall, twenty-eight (28) days after placement, be capable of resisting a pressure of twenty-five hundred (2500) pounds per square inch without failure.

5. Permit Revocation. The Superintendent may issue a stop order to any permittee holding a permit issued under the terms of this Chapter for failure to comply with this Chapter, or the rules, regulations, plans and specifications established for the construction, rebuilding or repair of any sidewalk, and the issuance of such stop order shall be deemed a suspension of such permit. Such stop order shall be effective until the next

regular meeting of the Village Council, and if confirmed by the Council, at its next regular meeting, such stop order shall be permanent, and shall constitute a revocation of the permit.

6. Approval of Specifications. The line, grade, slope and width of sidewalks, and specifications as to materials and manner of construction not in conflict with this Chapter, shall be established by the Superintendent, and where, under the following sections of this Chapter, the Council orders the construction of any sidewalk, then the Council shall also, by resolution, specify the line, grade, slope, width, materials and manner of construction for the sidewalk ordered built.

7. Ordering Construction. The Village Council may, by resolution, require the owners of lots and premises to build sidewalks in the public streets adjacent to and abutting upon such lots and premises. When such resolution shall be adopted, the Superintendent shall give notice thereof, in accordance with section 12 of Chapter 1001 of this Code, to the owner of such lot or premises requiring him to construct or rebuild such sidewalk within twenty (20) days from the date of such notice.

8. Construction by Village. If the owner of any lot or premises shall fail to build any particular sidewalk as described in said notice, and within the time and in the manner required thereby, the Superintendent is hereby authorized and required, immediately after the expiration of the time limited for the construction or rebuilding by the owner, to cause such sidewalk to be constructed and the expense thereof shall be charged to such premises and the owner thereof, and collected as provided in section 10 of Chapter VII of the Charter.

9. Sidewalk Maintenance. No person shall permit any sidewalk within the Village which adjoins property owned by him, to fall into a state of disrepair or to be unsafe.

10. Sidewalk Repair. Whenever the Superintendent shall determine that a sidewalk is unsafe for use, notice may be given to the owner of the lot or premises adjacent to and abutting upon said sidewalk of such determination which notice shall be given in accordance with section 12 of Chapter 1001 of this Code. Thereafter, it shall be the duty of the owner to place said sidewalk in a safe condition. Such notice shall specify a reasonable

time, not less than seven (7) days, within which such work shall be commenced, and shall further provide that the work shall be completed with due diligence. If the owner of such lot or premises shall refuse or neglect to repair said sidewalk within the time limited therefor, or in a manner otherwise than in accordance with this Chapter, the Superintendent shall have said sidewalk repaired. The cost of repairs hereunder shall be charged against the premises which said sidewalk adjoins and the owner of said premises, and shall be collected as provided in section 10 of Chapter VII of the Charter.

11. Sidewalks to be Cleared. The occupant of every lot or premises adjoining any street, or the owner of such lot or premises, if the same are not occupied, shall clear all ice and snow from sidewalks adjoining such lot or premises within the time herein required. When any snow shall fall or drift upon any sidewalk during the nighttime, such snow shall be cleared from the sidewalks by 12:00 o'clock noon. Snow falling or accumulating during the day shall be cleared from the sidewalks by 12:00 o'clock noon of the day following.

12. Failure to Clear. If any occupant or owner shall neglect or fail to clear ice or snow from the sidewalk adjoining his premises within the time limited, or shall otherwise permit ice or snow to accumulate on such sidewalk, he shall be guilty of a violation of this Chapter and in addition, the Superintendent may cause the same to be cleared and the expense of removal shall be collectable as provided in section 10 of Chapter VII of the Charter.

CHAPTER 5021 - HOUSE TRAILERS

1. House Trailers. For the purpose of this Chapter, the term "house trailer" shall mean any vehicle used or intended for use as a dwelling, regardless of whether such vehicle is self-propelling or is moved by other agencies. The following restrictions shall be applicable to house trailers:

- (a) No person shall park overnight or permit the parking overnight of any house trailer upon any public highway, street, alley, park or other public place within the Village.
- (b) No person shall park or permit the parking of a house trailer for occupancy on any private property within the Village except in an authorized trailer camp licensed under the provisions of Act 243, Public Acts of 1959, State of Michigan, as amended: Provided, that a permit for the occupancy of a house trailer on a residential lot may be granted by the Village President upon application of the occupant of such house trailer within twenty-four (24) hours after the parking of such house trailer. No such permit shall be granted:
 - (1) For a period in excess of thirty (30) days, nor oftener than once in six (6) months for the same lot or parcel of land;
 - (2) If any charge is to be made directly or indirectly for the parking of such house trailer or the furnishing of any service or facility by the owner or occupant of the premises on which such house trailer is parked.

2. Penalty and Enforcement. In addition to the penalty applicable to a violation of this Code, any person parking, occupying or using any house trailer parked in violation of section 1, shall be guilty of maintaining a nuisance per se and upon application by the Village to any court of competent jurisdiction the maintenance of such nuisance may be restrained.

CHAPTER 5032 - OPEN STORAGE
OF JUNKED AUTOMOBILES

1. Storage of Junked Automobiles. No person shall store, place on or permit to be stored or placed on or allow to remain on any premises within the Village, any dismantled, partially dismantled or inoperable motor vehicle or any parts of any motor vehicle, unless such partially dismantled motor vehicle, inoperable motor vehicle or parts of a motor vehicle shall be kept in a wholly enclosed garage or other wholly enclosed structure. Any bona fide owner, co-owner, tenant or co-tenant of any premises may store, permit to be stored or allow to remain on the premises of which he is the owner, co-owner, tenant or co-tenant, any one such dismantled, partially dismantled or inoperable motor vehicle, for a period of not to exceed forty-eight (48) hours, if such motor vehicle is registered in his, her or its name and provided, that any such owner, co-owner, tenant or co-tenant may, in the event of hardship, upon payment of the fee hereinafter provided, secure a permit from the Village President to extend this period of forty-eight (48) hours for an additional period of not to exceed one (1) week for any one such dismantled, partially dismantled or inoperable motor vehicle, if such motor vehicle is registered in his, her or its name. Nothing contained in this section shall be construed to permit parking or placing of any dismantled or partially dismantled vehicle within any street area within the Village or in any front yard of any premises upon which a dwelling exists and the placement of such vehicles in such places is hereby expressly prohibited.

2. Permits. Upon application duly made by the registered owner of a motor vehicle and upon a showing of undue hardship, the Village President is hereby authorized to issue the permit provided for in Section 1 of this Chapter. A fee of One (\$1.00) Dollar for each such permit issued shall be collected and paid into the General Fund.

3. Licensed Junk Yards. Nothing contained in this Chapter shall be applicable to any junk yard licensed under the provisions of this Code.

4. Definitions.

- (a) "Motor vehicle" shall have the meaning ascribed to it in Public Act 300 of 1949, State of Michigan, being the Michigan Vehicle Code.
- (b) "Inoperable motor vehicle" shall mean a motor vehicle which by reason of dismantling, disrepair or other cause is incapable of being propelled under its own power.
- (c) "Dismantled or partially dismantled motor vehicle" shall mean a motor vehicle from which some part or parts which are ordinarily a component of such motor vehicle has been removed or is missing.

5. Nuisance. The presence of a dismantled, partially dismantled or inoperable motor vehicle or parts of a motor vehicle on any premises in violation of the terms of this Chapter is hereby declared to be a public nuisance and shall be subject to abatement in the manner prescribed in Chapter 9048 of this Code and the costs of such abatement shall be collected from the owner of such premises in accordance with said Chapter 9048.

PEN-257 PAGE 1001-14 (13) 1966.

CHAPTER 6016 - GENERAL HEALTH REGULATIONS

1. Littering. No person shall place, deposit, throw, scatter or leave in any street, alley or public place, or on the private property of another, any refuse, waste, garbage, dead animal, wash water or other noxious or unsightly material.

2. Duties of Health Officer. Subject to the orders of the Board of Health, the Health Officer shall have power and it shall be his duty:

- (a) To make, or cause to be made, diligent inquiry in respect to all nuisances, sources of filth and causes of sickness of every description in the Village, which are or may be injurious to the public health, and to abate the same.
- (b) To isolate and quarantine, when in his judgment the public welfare so requires, any person infected with any communicable disease or whom the Health Officer has good reason to believe has been exposed to any such disease. No person shall tear down, remove, mutilate or destroy any quarantine placard or other sign or notice posted by the Health Officer or under his direction, until the Health Officer orders the same removed.
- (c) The Health Officer shall be actively in charge of all matters pertaining to the public health of the Village except as may be otherwise provided by statute of the State of Michigan, the Charter or this Code.

3. State Law, Rules, Regulations. The statutes of the State of Michigan, relating to the public health, sanitation and the prevention of disease and the spreading thereof, and the rules and regulations of the Michigan Department of Health, and all amendments and additions thereto, and as hereafter amended or added to, are hereby expressly incorporated into and made a part of this Code. Any person violating any such law, rule or regulation shall be guilty of a violation of this Code.

4. Communicable Disease Defined. The term "communicable disease" as used in this Chapter shall include the diseases listed as reportable diseases in the regulations for the control of communicable diseases of the Michigan Department of Health, as in effect on the adoption of this Code, and as hereafter amended.

CHAPTER 6032 - EATING AND DRINKING ESTABLISHMENTS

1. Definitions. The following definitions shall apply in the interpretation of this Chapter:

- (a) "Restaurant" shall mean restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain, and all other eating or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale on the premises or elsewhere.
- (b) "Employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed in a room in which food or drink is prepared or served.
- (c) "Utensils" shall include any kitchenware, tableware, glassware, cutlery, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.
- (d) "Health Officer" shall mean the person designated to act as Village Health Officer.
- (e) "Clerk" shall mean the Village Clerk.

2. Sanitation Requirements for Restaurants. All restaurants shall comply with all of the following items of sanitation:

- (a) Floors. The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.
 - (b) Walls and Ceilings. Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is prepared shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface.
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- (c) Doors and Windows. When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing unless other effective means are provided to prevent the entrance of flies.
 - (d) Lighting. All rooms in which food or drink is stored or prepared or in which utensils are washed shall be well lighted.
 - (e) Ventilation. All rooms in which food or drink is stored or prepared, or served, or in which utensils are washed, shall be well ventilated.
 - (f) Toilet Facilities.
 - (1) Every restaurant shall be provided with adequate and conveniently located toilet facilities for its employees, conforming with Chapter 8001 of this Code and the State Plumbing Code. Toilet rooms shall not open directly into any food processing room. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees.
 - (2) All toilet rooms shall be properly vented by exterior windows or mechanical means to the outside air.
 - (3) All toilet rooms and passageways leading to the same shall be well lighted.
 - (4) All toilet rooms shall be kept clean. Sanitary toilet paper shall be provided.
 - (5) Establishments serving alcoholic beverages shall provide proper and adequate toilet facilities for patrons. Separate toilet facilities shall be provided for each sex, and adequate urinals shall be provided in men's toilets.
 - (g) Lavatory Facilities. Adequate and convenient hand-washing facilities shall be provided, including hot and cold running water, soap and dispenser, and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his hands.
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- (h) Water Supply. Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply shall be from the Village Water System.
- (i) Construction of Utensils and Equipment. All multi-use utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in good repair. Utensils containing or plated with cadmium or lead shall not be used; provided, that solder containing lead may be used for jointing.
- (j) Cleaning and Bactericidal Treatment of Utensils and Equipment. All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks, shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single-service containers shall be used only once. All multi-service eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation of food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose. No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleansing or polishing of utensils.
- (k) Storage and Handling of Utensils and Equipment. After bactericidal treatment utensils shall be stored in a clean, dry place protected from flies, dust, and other contamination, and shall be handled in such a manner as to prevent contamination as far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.
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- (l) Disposal of Wastes. All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such manner as not to become a nuisance.
- (m) Refrigeration. All readily perishable food and drink shall be kept at or below 50° F. except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.
- (n) Wholesomeness of Food and Drink. All food and drink shall be clean, wholesome, free from spoilage, and so prepared as to be safe for human consumption. All milk, fluid milk products, ice cream, and other frozen desserts served shall be from approved sources. Milk and fluid milk products shall be served in the individual original containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device; provided, that this requirement shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All oysters, clams, and mussels shall be from approved sources, and if shucked shall be kept until used in the containers in which they were placed at the shucking plant.
- (o) Storage, Display, and Serving of Food. All food and drink shall be stored, displayed, and served as to be protected from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches, and rodents shall be used.
- (p) Cleanliness of Employees. All employees shall wear clean garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared.
- (q) Miscellaneous. The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the
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operations connected with a restaurant shall be conducted in any room used as living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

3. Examination and Condemnation of Food. Samples of food, drink, and other substances may be taken and examined by the Health Officer as often as may be necessary for the detection of unwholesomeness or adulteration. The Health Officer may condemn and forbid the sale of, or cause to be removed or destroyed any food or drink which is unwholesome or adulterated.

4. Licenses. No person shall operate a restaurant in the Village who does not possess an unrevoked license of current issue granted in accordance with Chapter 7000 of this Code. No such license shall be granted except upon certification of the Health Officer. Only persons who comply with the requirements of this Chapter shall be entitled to receive and retain such a license. The fee for such license shall be fifteen (\$15.00) dollars per year.

5. Enforcement. The Health Officer shall have the authority and duty to enforce this Chapter.

6. Inspections. At least once every six (6) months, or as often as necessary, the Health Officer shall inspect every restaurant located within the Village. The Health Officer shall have authority to enter any building or part thereof which is used, or which he has reason to believe is used for the storage, preparation, sale, serving or distribution of food or drink for human consumption to inspect the premises, furniture, equipment, dishes or utensils used therein, to determine whether or not the sanitary requirements of this Chapter are complied with.

7. Violations. If, on inspection, the Health Officer finds any violation of the requirements of this Chapter, he shall issue an order to the licensee or person in charge of the restaurant directing the correction of such violation within such reasonable time as he shall deem proper.

8. Failure to Correct Violations. If the Health Officer finds a continuation of the violation upon a second inspection after such

reasonable time, he shall suspend the license of the restaurant until such violations have been corrected.

9. Immediate Suspensions. If the Health Officer finds insanitary conditions in any restaurant such that it would be immediately dangerous to the health of the general public, he may immediately suspend the license of and close the restaurant until such insanitary conditions are corrected, following which he shall give a written notice in a reasonable time to the licensee or the responsible representative in charge stating his reasons for closing the restaurant. A continuance to operate after receipt of such written notice shall constitute a violation of this Code.

10. Disease Control. No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person or any person suspected of being affected with any disease in a communicable form or of being a carrier of such disease. If the restaurant manager suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease he shall notify the Health Officer immediately.

11. Procedure When Infection Suspected. When suspicion arises as to the possibility of transmission of infection from any restaurant employee the Health Officer is authorized to require any or all of the following measures:

- (a) The immediate exclusion of the employee from all restaurants;
 - (b) The immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the Health Officer;
 - (c) Adequate medical examinations of the employee and his associates, with such laboratory examinations as may be indicated.
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CHAPTER 7000 - LICENSES

1. Licenses Required. No person shall engage in the operation, conduct or carrying on of any trade, profession, business or privilege for which any license is required by any provision of this Code without first obtaining a license from the Village in the manner provided for in this Chapter. Any person duly licensed on the effective date of this Code shall be deemed licensed hereunder for the balance of the current license year.
 2. State Licensed Businesses. The fact that a license or permit has been granted to any person by the State of Michigan to engage in the operation, conduct or carrying on of any trade, profession, business or privilege shall not exempt such person from the necessity of securing a license or permit from the Village if such license or permit is required by this Code.
 3. License Application. Unless otherwise provided in this Code, every person required to obtain a license from the Village to engage in the operation, conduct or carrying on of any trade, profession, business or privilege shall make application for said license to the Village Clerk upon forms provided by the Clerk and shall state under oath or affirmation such facts, as may be required for, or applicable to, the granting of such license.
 4. License Year. The license year shall begin January 1st of each year and shall terminate at midnight on December 31st of that year. Original licenses shall be issued for the balance of the license year at the full license fee. License applications for license renewals shall be accepted and licenses issued for a period of fifteen (15) days prior to the annual expiration date. In all cases where the provisions of this Code permit the issuance of licenses for periods of less than one (1) year, the effective date of such licenses shall commence with the date of issuance thereof.
 5. Where Certification Required. No license shall be granted where the certification of any officer of the Village is required prior to the issuance thereof until such certification is made.
 6. Health Officer's Certificate. In all cases where the certification of the Health Officer is required prior to the issuance
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of any license by the Village Clerk, such certification shall be based upon an actual inspection and a finding that the person making application and the premises in which he proposes to conduct or is conducting the trade, profession, business or privilege comply with all the sanitary requirements of the State of Michigan and of the Village.

7. Chief of Police's Certificate. In all cases where the certification of the Chief of Police is required prior to the issuance of any license by the Village Clerk, such certification shall be based upon a finding that the person making application for such license is of good moral character.

8. Late Renewals. All fees for the renewal of any license which are not paid at the time said fees shall be due, shall be paid as "late fees" with an additional twenty-five (25%) per cent of the license fee required for such license for the first fifteen (15) days that such license fee remains unpaid, and thereafter the license fee shall be that required for such license, plus fifty (50%) per cent of such fee.

9. Right to Issuance. If the application for any license is approved by the proper officers of the Village, as provided in this Code, said license shall be granted and shall serve as a receipt for payment of the fee prescribed for such license.

10. Suspension or Revocation. Any license issued by the Village may be suspended by the Village President for cause, and any permit issued by the Village may be suspended or revoked by the issuing authority for cause. The licensee shall have the right to a hearing before the Village Council on any such action of the Village President, provided a written request therefor is filed with the Village Clerk within five (5) days after receipt of said notice of such suspension. The Council may confirm such suspension or revoke or reinstate any such license. The action taken by the Council shall be final. Upon suspension or revocation of any license or permit, the fee therefor shall not be refunded.

11. "Cause" Defined. The term "cause", as used in this Chapter, shall include the doing or omitting of any act, or permitting any condition to exist in connection with any trade, profession, business or privilege for which a license or permit is granted under the provisions of this Code, or upon any

premises or facilities used in connection therewith, which act, omission or condition is:

- (a) Contrary to the health, morals, safety or welfare of the public;
- (b) Unlawful, irregular or fraudulent in nature;
- (c) Unauthorized or beyond the scope of the license or permit granted; or
- (d) Forbidden by the provisions of this Code or any duly established rule or regulation of the Village applicable to the trade, profession, business or privilege for which the license or permit has been granted.

12. License Renewal. Unless otherwise provided in this Code, an application for renewal of a license shall be considered in the same manner as an original application.

13. Exhibition of License. No licensee shall fail to carry any license issued in accordance with the provisions of this Chapter upon his person at all times when engaged in the operation, conduct or carrying on of any trade, profession, business or privilege for which the license was granted; except that where such trade, profession, business or privilege is operated, conducted or carried on at a fixed place or establishment, said license shall be exhibited at all times in some conspicuous place in such place of business. Every licensee shall produce his license for examination when applying for a renewal thereof or when requested to do so by any Village police officer or by any person representing the issuing authority.

14. Exhibition on Vehicle and Machine. No licensee shall fail to display conspicuously on each vehicle or mechanical device or machine required to be licensed by this Code such tags or stickers as are furnished by the Village Clerk.

15. Displaying Invalid License. No person shall display any expired license or any license for which a duplicate has been issued.

16. Transferability; Misuse. No license or permit issued under the provisions of this Code shall be transferable unless specifically authorized by the provisions of this Code. No

licensee or permittee shall, unless specifically authorized by the provisions of this Code, transfer or attempt to transfer his license or permit to another nor shall he make any improper use of the same.

17. Misuse - Automatic Revocation. In addition to the general penalty provision for violation thereof, any attempt by a licensee or permittee to transfer his license or permit to another, unless specifically authorized by the provisions of this Code, or to use the same improperly shall be void and result in the automatic revocation of such license or permit.

CHAPTER 7040

SECOND HAND AND JUNK DEALERS

1. Definition. Any person whose principal business is that of purchasing, selling, exchanging, storing or receiving second hand articles of any kind, cast iron, old iron, old steel, tool steel, aluminum, copper, brass, lead pipe or tools, lighting and plumbing fixtures, is hereby defined to be a second hand dealer or junk dealer.

2. License Required. No person shall engage in the business of second hand dealer or junk dealer without first obtaining a license therefor. No such license shall be granted until the Village President shall find that the proposed business will not tend to create a hazard to the public health or tend to depreciate property in the area unduly or retard the natural development of the area, or be a violation of any provision of this Code.

3. Provisions of State Law. Licenses under this Chapter shall be issued by the Village President for a period of one (1) year from the date of issuance unless sooner revoked for cause and shall otherwise be subject to the provisions of Act 350 of 1917, Public Acts of the State of Michigan, in all respects. Except as otherwise provided in Act 350 of 1917, Public Acts of the State of Michigan, the provisions of Chapter 7000 of this Code shall be applicable to licenses issued hereunder and the fee for such license shall be \$10.00 per year.

CHAPTER 7059 - PEDDLERS

1. License Required. No person shall engage in the business of hawking or peddling, or soliciting orders for, any goods or merchandise without first obtaining a license therefor. No such license shall be granted except upon certification of the Chief of Police. The fee for such license shall be two (\$2.00) dollars per day; fifteen (\$15.00) dollars per month or fifty (\$50.00) dollars per year.

2. Fingerprints. No license to peddle shall be granted to any person unless a complete set of finger prints of such person are on file in the non-criminal identification file of the Police Department.

3. Fixed Stands Prohibited. No licensee shall stop or remain in any one place upon any street, alley or public place, longer than necessary to make a sale to a customer wishing to buy. Any peddler using a vehicle, when stopped, shall place his vehicle parallel to and within twelve (12) inches of the curb and shall depart from such place as soon as he has completed sales with customers actually present.

4. Practices Prohibited. No peddler shall shout or cry out his goods or merchandise, nor blow any horns, ring any bell or use any other similar device to attract the attention of the public.

5. Exempt Persons. This Chapter shall not be applicable to farmers or truck gardeners selling or offering for sale any products grown, raised or produced by them, the sale of which is not otherwise prohibited or regulated; nor to any person under the age of eighteen (18) years, when engaged in peddling or soliciting in the neighborhood of his residence, on foot and under the direct supervision of any school or recognized charitable or religious organization.

CHAPTER 7060 - TRANSIENT MERCHANTS

1. License Required. No person shall engage in a temporary business of selling goods, wares or merchandise at retail within the Village from any lot, premises, building, room or structure, including railroad cars, without first obtaining a license therefor. No such license shall be granted except upon certification of the Chief of Police and Village Treasurer. The fee for such license shall be fifty (\$50.00) dollars per year. Persons having regularly established places of business in the Village who are not otherwise subject to this Chapter, shall not become subject thereto because of making incidental sales or deliveries direct from railroad cars.

2. Temporary Business Defined. Every person engaged in the retail sale and delivery of goods, wares or merchandise, shall be deemed to be engaged in carrying on a temporary business unless his goods, wares or merchandise shall have been assessed for taxation in the Village during the current year.

3. Indebtedness to Village. No license shall be granted to any person owing any personal property taxes or other indebtedness to the Village, or who contemplates using any personal property on which personal property taxes are owing, in the operation of such business, and the Treasurer shall certify to the applicant's qualifications with respect to such indebtedness.

4. Benefit Sales. Any person selling or offering for sale any goods, wares or merchandise on behalf of and solely for the benefit of any recognized public, charitable or religious purpose shall, after meeting all other requirements, be granted a license without payment of the fee required by section 1, hereof.

CHAPTER 7120 - TAXICABS

1. Taxicab License. No person shall engage in the business of operating or causing to be operated, any taxicab upon the streets, alleys or public ways of the City without having first obtained a license for each such taxicab. No such license shall be granted except upon certification of the Chief of Police and upon approval of the Village Council. Upon application made for any new taxicab license, as distinguished from any renewal thereof, the Council shall first consider the question of whether public convenience and necessity require the operation of such taxicab. The Council shall consider the number of taxicabs operating in the Village and whether the demands of the public require additional taxicab service; traffic conditions on the streets of the City and whether the additional taxicab service will result in a greater hazard to the public and such other relevant facts as the Council may deem advisable. The judgment of the Council on the question of public necessity and convenience shall be conclusive. The fee for such license shall be \$5.00 per taxicab per year.

2. Insurance. Before any such license is issued, the applicant therefor, shall furnish one or more policies of insurance, prepaid for at least the period of the license, issued by responsible insurance companies providing indemnity for the insured in the amounts specified herein and agreeing to pay, within the limits of said amounts on behalf of the insured, all sums which the insured shall become obligated to pay by reason of the liability imposed upon the insured by law, for damages because of bodily injury, including death, at any time resulting therefrom or for damages to property, or both, sustained by any person other than the employees of the insured and caused by accident and arising out of the ownership, maintenance or use of said licensed taxicab.

The minimum amount of said insurance coverage as to any one licensed taxicab shall be:

- (1) On account of injury to, or death of, any person in any one accident - - - - - \$ 15,000.00



(2) On account of any one accident resulting in injury to, or death of, more than one person - - - - \$ 30,000.00

(3) On account of damage to property in any one accident
- - - - - \$ 10,000.00

3. Cancellation Notice. Every such insurance policy shall contain a clause obligating the insurer or surety to give the Clerk, by registered or certified mail, at least ten (10) days written notice before the cancellation, expiration, lapse or other termination of such insurance or bond or the withdrawal of surety from any such bond.

4. License Transfers. When the ownership of any taxicab shall change, whether by operation of law or otherwise, the taxicab license pertaining to such taxicab shall be automatically revoked. Any transfer, or attempt to transfer, of a taxicab license to any other person shall automatically revoke the license.

5. Transfer Between Vehicles. The owner of any licensed taxicab who desires to transfer such license to another vehicle owned by him, shall make application to the Clerk on forms provided therefor, and shall state under oath or affirmation such facts as may be required for, or applicable to, such transfer. Upon approval of the Village Council, such transfer shall be granted.

6. Rates. All fares and charges for the use of taxicabs shall be determined by resolution of the Village Council following a hearing held by said Council at a regular meeting. All taxicab licensees shall be notified of any such hearing by mail.

7. Unused Licenses. In addition to the grounds for suspension and revocation of licenses in Chapter 7000 of this Code, the fact that the owner shall cease to operate any taxicab for a period of thirty (30) days without having obtained permission for cessation of such operation from the Village shall constitute an automatic revocation of the license for such taxicab.

8. Taxicab Driver Permits. No person shall drive a taxicab on the streets of the Village without first having obtained a taxicab driver permit therefor. No such license shall be granted except upon certification of the Chief of Police and the Health Officer.

9. Physical Examination. Each applicant for a taxicab driver permit shall, at his own expense be required to submit to a medical examination by a duly licensed physician of his own choosing, and the results of such examination shall be reduced to writing by such physician on a form furnished by the Village Clerk. Such report of examination signed by the physician shall be attached to the application for a taxicab driver permit.

10. Permit Renewal. Upon any application for a taxicab driver permit from a person who then holds such a permit, the physical examination required by section 8 shall not be required unless no such examination shall have been had and a report thereof furnished to the City for longer than two (2) years immediately preceding such application.

11. Transfer of Driver Permits. No person having a taxicab driver permit shall allow any other person to use or attempt to use such permit, for any purpose. No person shall use or have in his possession while operating a taxicab in the Village, any taxicab driver permit which has been issued to any other person.

12. Passengers. No driver or owner of a taxicab shall refuse or neglect to convey any orderly person or persons upon request by signal or telephone call, unless the taxicab is previously engaged. When a taxicab has been engaged by a passenger, no additional passengers shall be received therein except with the express consent of the first passenger. No persons other than passengers for hire, except employees or members of the immediate family or any person licensed hereunder to engage in the business of operating a taxicab, shall be transported therein.

13. Rules and Regulations. The Village Council shall be empowered to make such rules and regulations regarding the dress and conduct of drivers, the maintenance and marking of taxicabs, as may be necessary in the interest of providing safe and orderly service to passengers, and no person shall fail to comply with any such rule or regulations. The Council may require periodic reports to be submitted by operators and drivers in order to assist in the enforcement of such rules and regulations or the terms of this Chapter.

CHAPTER 8001 - BUILDING CODE

1. Scope and Purpose. The requirements of this Chapter shall be held to be the minimum requirements in the interest of public health, safety and sanitation for the construction of one and two family dwellings and minor accessory buildings. Construction and equipment which vary from but equal or exceed these requirements will be given due credit and consideration provided they are used appropriately and comply with generally recognized acceptable standards applicable to dwellings.

2. Approval of Alternate Types of Construction and Materials. The Building Inspector may approve the use of types of construction, such as prefabricated houses, or materials that vary from the specific requirements of this Chapter if reports of agencies or laboratories generally accepted as competent by engineering authorities indicate that such alternate materials or construction equal or exceed the applicable requirements of this Chapter.

QUALITY OF MATERIALS AND WORKMANSHIP

3. General. All building materials and workmanship shall be of good quality conforming to generally accepted standards. Except as may be otherwise provided in this Chapter, the standards of the National Bureau of Standards are hereby declared to be acceptable good practice.

MASONRY MIXES

4. Mortar.

- (a) Proportions. Mortars of the following proportions measured by volume with the sand in a damp loose condition, shall be acceptable for the specific use mentioned in this section:

Type A. One part of portland cement to not more than three (3) parts of sand with an addition of hydrated lime or lime putty of not more than twenty-five (25) per cent of the cement.

Type B. One part of portland cement, one part of hydrated lime or lime putty, and not more than six (6) parts of sand. One part of prepared masonry cement conforming to Type II of Federal Specification SS-C-181C to not more than three (3) parts of sand.

- (b) Use. Type A mortar shall be used for all below-grade masonry construction. Type A or B mortar shall be used for all above-grade construction.

5. Concrete.

- (a) Workable concrete. Water used in mixing concrete shall be clean and free from deleterious amounts of acids, alkalies or organic materials. The maximum size of concrete aggregates shall be not larger than one-fifth (1/5) of the narrowest dimension between forms of the member for which the concrete is to be used, nor larger than two and one-half ($2\frac{1}{2}$) inches. Workable concrete shall be produced in accordance with the following tables for the particular use specified:

Type of Concrete and Use	Maximum Gallons of Water per Sack of Cement with Sand of Moisture Content Indicated			Maximum Cubic Feet of Total Aggregate* per Sack of Cement
	Dry	Average	Wet	
Type A - All concrete exposed to the weather or to water pressure, or reinforced.	6	5-1/4	4-3/4	6
Type B - All other concrete, except Type C.	7	6	5-1/4	6½
Type C - Footings	7½	6½	5½	7½

*Proportion of sand (passing 1/4 inch screen) to coarse aggregate (retained on 1/4 inch screen) shall be not less than thirty-five (35) per cent nor more than fifty (50) per cent by volume.

- (b) Other Requirements. For design principles and practices not specifically mentioned in this section, the standards set forth in the Building Code Requirements for Reinforced Concrete of the American Concrete Institute (ACI-318-56), shall apply.

FOOTINGS AND FOUNDATIONS

6. General. All footings and piers shall be carried below local frost level, shall bear on undisturbed soil, and shall be designed to properly and safely distribute the superimposed load. Where soil conditions are unstable, the Building Inspector may require additional provisions to insure stability. Drain tile shall be used around basement foundations where conditions require it.

MINIMUM DESIGN LOADS

7. General. All floors for one and two family dwellings shall be designed for the dead load plus a live load of not less than forty (40) pounds per square foot of floor area. All roofs shall be designed for the dead load plus a live load of not less than thirty (30) pounds per square foot of horizontal projection.

WOOD CONSTRUCTION

8. General Requirements - Working Stresses and Design. Working stresses and design of wood construction shall comply with the standards set forth in National Design Specification for Stress-Grade Lumber and Its Fastenings (1955 Edition and 1957 Amendments), National Lumber Manufacturers' Association.

9. Exterior Walls.

- (a) Framing. All external wall covering materials shall be moisture-resistant, of sufficient stiffness and properly anchored to remain in place during high winds and be reasonably permanent. All exterior wood or metal stud
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walls shall provide strength and rigidity equivalent to the following:

Two (2) inch by four (4) inch wood studs spaced not more than sixteen (16) inches on center for walls supporting floor loads.

Two (2) inch by four (4) inch wood studs spaced not more than twenty-four (24) inches on center for walls that do not support floor loads.

All studs shall be securely fastened to plates top and bottom, and diagonally braced at outside corners of walls. Walls shall have corner posts either built-up or solid of not less than three (3) two (2) by fours (4's). Top plates shall be not less than doubled two (2) by fours (4's) which shall lap at all corners and at all intersecting partitions. All such laps shall be securely spiked. All window and door openings shall have studs doubled on jambs. The inner stud shall be cut to receive the header over the opening and shall extend in one (1) piece from header to bearing.

Headers over all openings shall be doubled and shall be set on edge. In lieu of headers, trussed construction may be used. Spans for headers shall not exceed the following for the size given:

Spans up to 4 feet	two 2 by 4's
Spans 4 feet to 5½ feet	two 2 by 6's
Spans 5½ feet to 7 feet	two 2 by 8's
Spans over 7 feet	two 2 by 10's

- (b) Anchorage. The sills of frame walls supported directly on masonry shall be not less than two (2) inches thick and not less in width than that of the width of the studs. Such sills shall be bolted to the masonry at corners and between corners with one-half (½) inch bolts not less than seven (7) inches in length and spaced not more than six (6) feet apart.
- (c) Sheathing. Sheathing may be of wood, structural insulation board, gypsum board, plywood, or other materials approved by the Building Inspector.
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10. Interior Partitions.

- (a) Bearing Partitions. Studs of all bearing partitions and studs of all non-bearing partitions exceeding six (6) feet of unsupported length which contain openings shall be made up of two (2) by fours (4's) spaced not more than sixteen (16) inches on center and set the four (4) inch way.
- (b) Non-bearing Partitions. Studs of all non-bearing partitions which are devoid of openings may be made up of two (2) by fours (4's) spaced sixteen (16) inches on center and set the two (2) inch way.
- (c) Openings. All openings in interior bearing partitions shall have jambs and heads double-framed same as required for exterior openings.
- (d) Top Plate. The top plates of all bearing partitions shall be doubled. All partition plates shall lap at all intersecting partitions and at outside walls, and shall be securely spiked.
- (e) Sole Plate. When partitions frame on top of the joists or subfloor, the studs shall bear on a sole plate at least two (2) inches thick.

MASONRY CONSTRUCTION

11. Walls.

- (a) Solid-Brick Walls. Solid-brick bearing walls shall be not less than eight (8) inches thick. There shall be a header course in all brick walls at least every seventh course on both sides of the wall or there shall be at least one full-length header in every one and one-half ($1\frac{1}{2}$) square feet of wall surface.
 - (b) Hollow Masonry Unit Walls. The minimum thickness of bearing walls of structural clay tile or concrete masonry units shall be not less than eight (8) inches. Hollow masonry units shall have full mortar coverage on vertical and horizontal edges of the face shells. Where two (2) or more hollow units are used to make up the thickness of a wall, the inner and outer course shall be bonded at
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vertical intervals not exceeding thirty-four (34) inches by lapping at least four (4) inches or by lapping with units at least fifty (50) percent greater in width than the units below.

- (c) **Brick Veneered Walls.** Thickness of brick veneer shall be not less than three and three-fourths (3-3/4) inches properly anchored with rust-resisting wall ties and with at least one (1) tie in every three (3) square feet. The veneer shall rest on the foundation. Two (2) inch brick veneer may be used for one-story dwellings upon approval by the Building Inspector.
- (d) **Existing Walls.** No existing wall shall be used for renewal or extension of a building or be increased in height without special written permission from the Building Inspector.

12. **Lintels and Arches.** The masonry above openings shall be supported by arches of masonry or lintels of steel or reinforced concrete, which shall bear on the wall at each end for not less than four (4) inches and shall be supported as required for concentrated loads.

13. **On Masonry Construction.** All structural members producing concentrated loads shall have bearings at least three (3) inches in length upon solid masonry not less than four (4) inches thick. Metal bearing plates of adequate design and dimensions but not less than one-fourth (1/4) inch thick may be used.

14. **Support on Wood.** No masonry construction shall be supported on wood construction. No timber except nailing blocks not exceeding an ordinary brick in size, shall be built in as a part of masonry walls.

CHIMNEYS, FLUES, AND SMOKE PIPES

15. **General.** Chimneys shall be constructed in accordance with good practice provided that the specific requirements of this Chapter shall be observed.

16. Construction of Chimneys. Chimneys shall be constructed of brick, stone or of reinforced concrete. When constructed of laid-up masonry units, such units shall be not less than three and one-half ($3\frac{1}{2}$) inches wide laid with full head and bed joints of Type A or Type B mortar (see section 4 of this Chapter). No chimney shall be constructed of hollow masonry units unless such units shall first have been proven to the satisfaction of the Building Inspector to be the equal of or superior to solid masonry units. Masonry walls of buildings may form parts of chimneys when the chimney walls are securely bonded into the walls of the building and when the flue is lined with flue lining the same as an independent chimney.

17. Additional Requirements. Except as otherwise provided by this Chapter, the requirements of the National Building Code (1955 Edition), National Board of Fire Underwriters, shall apply in the construction and installation of chimneys, flues, vents for gas appliances and smoke pipes.

HEATING APPLIANCES

18. General. Heating appliances shall be installed in accordance with good practice provided that the specific requirements of this Chapter shall be observed.

- (a) Combustion. Adequate facilities shall be provided in all cases for the entrance of air to support combustion in rooms or other spaces enclosing heat producing appliances and the area of such facilities shall not be less than the combined outlet area of the appliances so located.
 - (b) Clearances for Heating Furnaces. No hot air, hot water, steam heating or other type of furnace described herein shall be located nearer than twenty-four (24) inches in any direction to woodwork or other combustible construction, including plaster on a combustible base, unless such furnace shall be enclosed in a jacket providing an air space or which is insulated in an approved manner and the combustible material is protected with three-eighths ($3/8$) inch gypsum board under one-eighth ($1/8$) inch asbestos board, or with three-fourths ($3/4$) inch
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portland cement plaster on metal lath, or equivalent protection, in which case this clearance may be reduced to not less than six (6) inches.

- (c) Ducts. Warm air ducts, fittings and connections in warm air heating plants shall be made of bright tin or of galvanized iron or of such other incombustible material as may be approved by the Building Inspector.

19. Water Heaters. Water heaters shall be connected to smoke flues or outlet pipes as hereinbefore provided for gas appliances, provided that such connection may be waived by the Building Inspector if the water heater is of a type which cannot produce an explosive mixture or asphyxiating condition in the room or space where it is located.

20. Additional Requirements. Except as otherwise provided in this Chapter, the National Building Code, 1955 Edition, National Board of Fire Underwriters, shall apply in the construction and installation of the following:

- (a) Mounting and clearances of heating furnaces, boilers and cooking appliances.
- (b) Floor furnaces.
- (c) Steam and hot water pipes.
- (d) Warm air heating and air conditioning systems in dwellings.

ELECTRICAL WIRING AND OUTLETS

21. Adoption of Electrical Code. Electrical installations and materials shall conform to the requirements of the National Electrical Code, 1962 Edition, approved July 24, 1962, by American Standards Association, Inc. (NFPA Pamphlet No. 70).

ROOFING

22. General. Readily ignitable and hazardous roofing materials such as light asphalt or tar-impregnated paper and straw thatch, shall not be permitted.

LIGHT AND VENTILATION

23. Front Yards. Every dwelling hereafter erected shall have a front yard not less than twenty (20) feet in depth. In the case of a dwelling to be erected on a lot or parcel of land where there is an existing building within twenty (20) feet of a side lot line of the property on which the dwelling is to be erected, which building fronts on the same street and which has a front yard less than twenty (20) feet deep, then the minimum allowable depth of the front yard for the dwelling shall be the depth of the front yard of such existing building or ten (10) feet whichever shall be the greater depth.

24. Side Yards.

- (a) Every dwelling hereafter erected on any lot or plot with side lines of record, shall be so located that one (1) side yard shall be no less than five (5) feet in width and the other side no less than eight (8) feet in width, provided however, that the wider side yard may be reduced to five (5) feet if a garage is attached to or located along the side of such dwelling.
- (b) Every dwelling hereafter erected on a portion of a lot without side lines of record shall be so located that the clear space between it and another structure shall be not less than ten (10) feet.
- (c) The width of a side yard of a corner lot abutting on a street or highway shall not be less than the minimum front yard required on an adjoining lot fronting on such side street, but this shall not reduce the usable width for building purposes of any lot of legal record at the time of the passage of this Code to less than thirty (30) feet measured at the foundation ground level.

25. Ceiling Heights. The minimum ceiling height in any room exclusive of a room used only for storage purposes shall be seven (7) feet, six (6) inches except under sloping roofs where the minimum shall be seven (7) feet, six (6) inches for not less than fifty (50) per cent of the floor area.

PLUMBING

26. General. In the installation of interior plumbing work, compliance with Articles I to XI of the State Plumbing Code published by the Michigan State Plumbing Board, as effective at the date of adoption of this Code, being the Plumbing Rules and Regulations adopted by the Michigan State Plumbing Board, pursuant to Act 266 of 1929, State of Michigan, as amended, shall be acceptable. Adoption of these rules shall not make the Village subject to Act 266 of 1929, State of Michigan.

27. Plumbing Fixtures.

- (a) Within each living unit there shall be provided the following plumbing fixtures:
- (1) A kitchen sink properly located to facilitate food preparation and dishwashing.
 - (2) A water closet located either in the bathroom or in a separate toilet compartment.
 - (3) A bathtub or shower located in a bathroom or other equivalently ventilated space.
- (b) Each of the plumbing fixtures shall be permanently installed and connected to the plumbing system.

WATER SUPPLY

28. Safe Water Supply Required. Every living unit shall have available a supply of safe water obtained from:

- (a) A public or municipal water supply if available;
- (b) A drilled, driven or dug well.

29. Private Water Supply. When a private water supply is required, the type, location and construction of the well shall be in accordance with "Minimum Requirements for Individual Water-Supply and Sewage-Disposal Systems" of the FHA Minimum Property Requirements for the State of Michigan, applicable at the date of the adoption of this Chapter.

SIZE AND NUMBER OF ROOMS

32. Room Requirements. Every dwelling structure shall have not less than two (2) rooms and one (1) bathroom.

33. Sleeping Room. One (1) room shall be designed for sleeping use and shall have a floor area of not less than one hundred and twenty (120) square feet. Where more than one (1) bedroom is provided one (1) bedroom shall have not less than one hundred (100) square feet and all other bedrooms shall have not less than eighty (80) square feet of floor area.

34. Living Room.

- (a) One (1) room shall be designed for living use. When it is used only as a living room and space is provided elsewhere for cooking and eating, this room shall have not less than one hundred and fifty (150) square feet of floor area.
- (b) Where this room provides the only eating space in the structure it shall be increased by not less than forty (40) square feet of floor area.
- (c) Where this room provides the only space for living, cooking and eating, it shall have a floor area of not less than two hundred and twenty (220) square feet.

35. Bathroom. The bathroom shall be of adequate size and properly planned to accommodate the fixtures as specified under section 27 of this Chapter.

BASEMENT ROOMS

36. General. In dwellings hereafter erected no habitable room shall be located in a basement, unless such room shall have one-half ($\frac{1}{2}$) of its height from floor to ceiling above the ground elevation (finished surface) in the proximity of the windows of the room. All habitable rooms in basements shall have sufficient light and ventilation as required for rooms of similar use above grade and shall be sufficiently well drained to remain dry.

ADMINISTRATION

37. Building Permits. Before proceeding with the erection, alteration or removal of any residential building, a permit shall first be obtained by the owner or his agent from the Building Inspector. The application shall be made in writing and upon printed forms furnished by the Building Inspector. To determine satisfactory compliance with requirements, the application shall be accompanied by two (2) complete sets of plans and specifications conforming to the requirements of section 39 of this Chapter. When plans and specifications shall be found to conform with the provisions of this Chapter, the Building Inspector shall issue a permit, but when a private water supply or sewage disposal system is necessary no building permit shall be issued until the location of and plans for the water supply and sewage disposal system are approved in writing by the Health Officer. One (1) copy of the plans and specifications shall remain on file with the records of the Building Inspector, the other set to be stamped and kept at the construction site for reference until completion of the building.

PLANS AND SPECIFICATIONS

38. Site Map. Drawings shall include a site map drawn to scale, adequately dimensioned, clearly showing the exact location of all structures existing or to be constructed. When a private water supply or sewage disposal system is necessary, the site map shall show the location of proposed well, septic tank and disposal field in addition to existing wells, septic tanks, sewer lines, drains, sewage disposal fields, seepage pits, privies and cess-pools within one hundred (100) feet of the dwelling.

39. Building Plans. These drawings shall include:

- (1) Floor plans of all habitable floors and the basement or foundation plan and such drawings shall clearly indicate sizes and spacings of all supporting members, sizes of rooms, glass areas, door openings and stair runs;
 - (2) A sectional drawing which shall clearly indicate sizes of footing, thickness of basement walls and all floor slabs, wall construction, sizes and spacing of framing members, ceiling heights and parapet heights.
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40. Fee Schedule. For each building permit issued, the following fees shall be paid to the Building Inspector and no permit shall be valid until the required fee has been paid:

For the first \$50.00 of cost or part thereof	\$1.00
For \$50.00 - \$500.00 of cost or part thereof	\$2.00
For \$501.00 - \$1000.00 of cost or part thereof	\$3.00
For each additional \$1000.00 of cost or part thereof	\$1.00

In the event a building permit is not issued the fee so paid shall be returned to the payor thereof.

INSPECTION

41. Building Inspector. This Chapter shall be administered by the Building Inspector. In the discretion of the Village Council, the duties of the Building Inspector may be combined with those of any other officer or employee of the Village or an employee of another Municipality may be appointed as Building Inspector.

42. Notifications. As work progresses under a building permit the holder thereof shall cause the Building Inspector to be notified at the following stages of construction:

- (a) Upon completion of the footings and before erection of the foundation walls.
- (b) Upon completion of the rough frame of the structure including the application of roof shingles and side wall sheathing and the installation of rough plumbing and chimneys, and before lath is applied.
- (c) Upon total completion of the work authorized by the building permit and before occupancy.

43. Inspection and Approvals.

- (a) Each inspection shall be made within two (2) days following receipt of notification. At the first inspection the Building Inspector shall determine to the best of his ability that the building has been located in accordance with the

site maps and yard areas will comply with Chapter requirements.

- (b) If the construction meets the requirements of this Chapter at the stage of any inspection, the Building Inspector shall issue his written approval thereof and the permit holder shall thereupon be authorized to proceed in accordance with the building permit.

44. Violations and Cancellation of Permit.

- (a) Should the Building Inspector determine that the construction is not proceeding according to plan filed or is in violation of any provision of this Chapter or any other applicable Chapter of this Code, regulation or law, he shall so notify the permit holder and further construction shall be stayed until correction has been effected and approved by the Building Inspector upon notice and request for re-inspection duly made.
- (b) Should the permit holder fail to comply with the requirements at any stage of construction the Building Inspector is hereby empowered to cancel the building permit issued and shall cause notice of such cancellation to be securely posted upon said construction. Posting of such notice shall be considered sufficient notification to the permit holder of cancellation thereof. No further work shall be undertaken or permitted upon such construction until a valid building permit shall thereafter have been issued.

45. Violation Nuisance Per Se. Any person violating any provision of this Chapter may be punished as specified in section 13 of Chapter 1001 of this Code. Buildings or structures erected, altered, converted or maintained in violation of this Chapter are hereby declared to be nuisances per se. Upon application to any court of competent jurisdiction, the court may order the nuisance abated and/or the violation, or threatened violation, restrained and enjoined.

CHAPTER 9002 - ANIMALS

1. Cruelty to Animals. No person shall cruelly treat or abuse any animal or bird.
 2. Poisoning Animals. No person shall throw or deposit any poisonous substance on any exposed public or private place where it endangers, or is likely to endanger, any animal or bird.
 3. Birds and Birds' Nests. No person, except a police officer acting in his official capacity, shall molest, injure, kill or capture any wild bird, or molest or disturb any wild bird's nest or the contents thereof.
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CHAPTER 9006 - DOGS

1. Presumption of Ownership. Any person who shall permit any dog to remain about any premises owned or occupied by him for a period of five (5) days shall be deemed the owner of such dog for the purposes of this Chapter.
 2. Restrictions. No person owning, possessing or having charge of any dog, four (4) months of age or over, shall permit such dog:
 - (a) To be unconfined between sunset and sunrise of the following day unless in the custody of some person;
 - (b) If vicious, to be unconfined at any time unless securely muzzled and led by a leash and any dog shall be deemed vicious which has bitten a person or domestic animal without molestation, or which, by its actions, gives indication that it is liable to bite any person or domestic animal.
 - (c) To be unconfined at any time unless vaccinated against rabies within the past year and unless such dog shall have a tag on its collar showing such current vaccination; provided, this sub-section shall apply only to dogs six (6) months of age or older;
 - (d) If a female dog, to be unconfined when said dog is in heat;
 - (e) To be an annoyance or nuisance in the vicinity where kept because of loud or frequent or habitual barking, yelping or howling, or by reason of damaging or trespassing on the property of others.
 3. Seizure and Impounding of Dogs. Any dog found at large in the Village which is doing any of the acts enumerated in, or at large under circumstances prohibited by, section 2, or which is suspected of having rabies or of having bitten any person or animal, may be seized and impounded by the dog warden or any police officer of the Village.
 4. Dogs - Rabies Prevention. Any person who shall have in his possession a dog which has contracted rabies or which has been subjected to the same or which is suspected of having rabies or which has bitten any person, shall upon demand of
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any police officer or the Health Officer, produce and surrender up such dog to be held for observation as hereinafter provided.

5. Exposure to Rabies - Notice. It shall be the duty of any person owning or harboring a dog which has been attacked or bitten by another dog or other animal showing the symptoms of rabies, immediately to notify the Police Department of his possession of such dog.

6. Impounding and Release. Any dog impounded for observation for rabies shall be held until released by the Chief of Police or otherwise disposed of. Any dog impounded for having bitten any person shall be held for not less than five (5) days and in case any complaint shall have been made before any court having jurisdiction of such cases shall be filed, whereby an order that said dog be killed or confined is sought, then such further time until said case is finally disposed of. All other dogs which may be impounded under the provisions of this Chapter shall be held for not less than five (5) days and shall be released to their respective owners upon payment of such reasonable fee as the Chief of Police may establish, with the approval of the Village Council.

7. Notice to Owner. It shall be the duty of the Police Department to notify the owner of every dog which shall be impounded, if the owner of such dog can be ascertained, as soon as possible after said dog has been impounded.

8. Disposition of Dogs. After a dog has been kept for five (5) full days and has not been redeemed by his owner, any dog may be destroyed in a humane manner if diseased, injured or of little value or any such dog may, in the discretion of the Chief of Police, be sold or given away to any person whom the Chief of Police believes will keep and care for said dog in a proper and humane manner.

CHAPTER 9016 - DISORDERLY CONDUCT

1. Definitions. The term "public place" as used in this Chapter shall mean any street, alley, park, public building, any place of business or assembly open to or frequented by the public, and any other place which is open to the public view, or to which the public has access.

2. Acts Prohibited. No person within the Village, shall:

- (a) Commit an assault, or an assault and battery on any person;
 - (b) Be drunk in any public place or under the influence of any narcotic drug in any public place;
 - (c) Engage in any indecent, insulting, immoral, or obscene conduct in any public place;
 - (d) Discharge any firearm;
 - (e) Fire, discharge, display, or possess any fireworks except of the type and under the conditions permitted by Chapter 39 of the Penal Code of the State of Michigan, as amended;
 - (f) Engage in peeping in the windows of any inhabited place;
 - (g) Beg in any public place;
 - (h) Swim or bathe in any public place without wearing proper apparel;
 - (i) Utter vile, profane or obscene language in any public place;
 - (j) Engage in fortune telling or pretend to tell fortunes for hire, gain, or reward;
 - (k) Make any immoral exhibition or indecent exposure of his or her person;
 - (l) Print, engrave, sell, offer for sale, give away, exhibit or publish or have in his possession for any such purpose, any obscene, lewd, lascivious, indecent or immodest book, pamphlet, paper, picture, cast statuary, image or representation or other article of an indecent or immoral
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nature, or any book, paper, print, circular or writing made up principally of pictures or stories of immodest deeds, lust, or crime, or exhibit any such article within the view of any passerby;

- (m) Wilfully destroy, damage, or in any manner deface any property not his own, or any public school building, or any public building, bridge, fire hydrant, street light, street sign or parking meter, or mark or post handbills on, or in any manner mar the walls of any public building, or destroy, take, or meddle with any property belonging to the Village or remove the same from the building or place where it may be kept, placed, or stored, without proper authority;
 - (n) Insult, accost, molest, or otherwise annoy, either by word of mouth, sign, or motion, any person in any public place;
 - (o) Engage in any disturbance, fight, or quarrel in a public place;
 - (p) Collect or stand in crowds, or arrange, encourage, or abet the collection of persons in crowds for illegal or mischievous purposes in any public place;
 - (q) Jostle or roughly crowd persons in any street, alley, park, or public building;
 - (r) Loiter on any street or sidewalk or in any park or public building or conduct himself in any public place so as to obstruct the free and uninterrupted passage of the public;
 - (s) Play any ball game in any public street or sidewalk or otherwise obstruct traffic on any street or sidewalk by collecting in groups thereon, for any purpose;
 - (t) Engage in any act of prostitution;
 - (u) Attend, frequent, operate or be an occupant or inmate of any place where prostitution, gambling, the illegal sale of intoxicating liquor, or any other illegal or immoral business or occupation is permitted or conducted;
 - (v) Solicit or accost any person for the purpose of inducing the commission of any illegal or immoral act;
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- (w) Knowingly transport any person to a place where prostitution or gambling is practiced, encouraged, or allowed for the purpose of enabling such person to engage in gambling or in any illegal or immoral act;
 - (x) Keep or maintain a gaming room, gaming tables, or any policy or pool tickets, used for gaming; or knowingly suffer a gaming room, gaming tables, or any policy or pool tickets to be kept, maintained, played, or sold on any premises occupied or controlled by him;
 - (y) Disturb the public peace and quiet by loud, boisterous, or vulgar conduct;
 - (z) Permit or suffer any place occupied or controlled by him to be a resort of noisy, boisterous, or disorderly persons;
 - (aa) Obstruct, resist, hinder, or oppose any member of the police force, or any peace officer in the discharge of his duties as such;
 - (bb) Wander about the streets, either by day or night, without any lawful means of support or without being able to give a satisfactory account of himself;
 - (cc) Prowl about any alley or the private premises of any other person in the nighttime, without authority or the permission of the owner of such premises;
 - (dd) Spit on any sidewalk or on the floor or seat of any public carrier, or on any floor, wall, seat or equipment of any place of public assemblage.
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CHAPTER 9027 - FIRE

1. False Alarm. No person shall wilfully turn in, sound or cause to be communicated to the Village Fire Department, a false alarm of fire.
 2. Injury to Fire Equipment. No person shall wilfully molest, take for his own private use, or damage in any manner, any fire fighting equipment or apparatus or anything pertaining to the fire fighting system, or drive any vehicle upon or against any hose or equipment of the Fire Department.
 3. Obstruction of Fire Hydrants. No person shall place any obstruction whatever, nor shall any person responsible for such obstruction permit it to remain, within fifteen (15) feet of any fire hydrant.
 4. Fire Hydrant - Openings. No person, except authorized Village officers and employees shall use any fire hydrant except in case of emergency, without first securing permission from the Department of Public Works for such use, and paying or agreeing to pay for the water to be used. In no case shall any wrench or tool be used on any fire hydrant other than a regulation Village hydrant wrench.
 5. Fire Inspection. The Fire Chief is hereby empowered to enter at any and all reasonable times upon and into any premises, building or structure for the purpose of examining and inspecting the same, to ascertain the conditions thereof with regard to fire hazards and the condition, size, arrangement and efficiency of any and all appliances for fire fighting. If such inspection shall disclose any fire hazard or any deficiency in fire fighting appliances, the Fire Chief shall order the condition remedied. Every order made by the Fire Chief shall be promptly obeyed and complied with.
 6. Waste Receptacles and Storage. No person owning or being responsible for any premises shall permit any waste paper, ashes, oil, rags, waste rags, excelsior or any material of a similar nature to accumulate thereon, unless contained in fire proof receptacles.
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7. Fire Exits. The following rules relative to passageways, stairs and fire exits shall be applicable to all public buildings, places of assembly, commercial and business buildings, hotels, apartment buildings, lodging houses, tourist homes and all other buildings except private dwellings and except as otherwise expressly limited herein to a particular type of building:

- (a) No fire escape, stairway, balcony or ladder on any building shall be obstructed, out of repair, or maintained in a hazardous condition. Doors and windows leading to any fire escape shall open easily from the inside;
- (b) No combustible material shall be stored, placed or kept under or upon any passageway, stairs or elevator shaft, nor shall any such material be stored, placed or kept in any other part of any building in such a position as to obstruct or render hazardous egress therefrom;
- (c) All doors, hallways and stairways shall be unobstructed at all times;
- (d) In all theaters, churches, schools and other places of public assembly, no door, aisle or passageway shall be obstructed with any furniture or article; nor shall any person sit or stand or be permitted to sit or stand in any aisle, or in any exit or passageway; and all exits and the sidewalks leading therefrom shall be unobstructed while such places of public assembly are in use;
- (e) No person shall do any act which causes any violation of any of the rules set forth in this section, nor shall any person owning any building or in charge thereof, as agent, employee or otherwise permit any of said rules to be violated.

8. Open Fires. No person shall kindle a fire in or upon any street or alley nor within twenty-five (25) feet of any building, unless such fire be confined in a safe container, and in no case within fifteen (15) feet of any building. Every person who shall kindle any fire shall have some competent person constantly in charge of said fire until it is completely extinguished.

CHAPTER 9041 - ALCOHOLIC LIQUOR

1. Definitions. The meaning of "alcoholic liquor", "beer", "wine", "spirits", "club", and "license" when used in this Chapter shall be as defined in Act 8, Public Acts of Michigan, 1933 Extra Session, as amended.

2. Consumption in Public. No alcoholic liquor shall be consumed on the public streets, parks, or in any other public places, including any store or establishment doing business with the public not licensed to sell alcoholic liquor for consumption on the premises; nor shall any one who owns, operates or controls any such public establishment or store permit the consumption of alcoholic liquor therein.

3. Liquor Sales. No licensee, by himself, or another, shall sell, furnish, give or deliver any alcoholic liquor to any person:

- (a) Who is so intoxicated as not to be in control of all his faculties.
- (b) On any day during the hours not permitted by state law or the Liquor Control Commission of the State of Michigan.
- (c) On any general, municipal or primary election day from and during one hour preceding the opening of the polls to the closing of the polls.
- (d) Between the hours of 12:00 midnight and 7:00 a. m. on each secular day, and each licensee shall within one-half hour after such time of closing cause all parts of his establishment wherein customers are served to be closed and such premises to be completely vacated of all persons other than the licensee and his employees.
- (e) At any time on Sunday for consumption on the premises.

Section 3 shall not apply to alcoholic liquor served to bona

vide guests in the residence of any person or sold or furnished for medicinal purposes as provided by law.

4. State License. No person shall engage in the business of selling alcoholic liquor, beer, wine or spirits for consumption in the Village without first obtaining a license therefor, as required by the statutes of the State of Michigan.

5. Council Approval. No person shall sell alcoholic liquor, beer, wine or spirits for consumption on the premises within the Village without having obtained the approval of the Council of said Village of application for a license so to sell, as required by the statutes of the State of Michigan.

6. Sales to Minors. No person, either directly or indirectly by himself, clerk, agent, servant, or employee shall at any time sell, furnish, give, or deliver any alcoholic liquor to any person unless such person shall have attained the age of twenty-one (21) years; nor shall any person, either directly or indirectly by himself, clerk, agent, servant or employee, at any time, sell, furnish, give or deliver any alcoholic liquor to any person who is so intoxicated as not to be in control of all his faculties; provided, however, that nothing herein contained shall prohibit the sale of alcoholic liquor to a minor upon authority of and pursuant to a prescription of a duly licensed physician.

7. Purchases by Minors. No person under the age of twenty-one (21) years shall at any time purchase, offer or attempt to purchase, possess, obtain, consume, or bring into any premises within the Village, any alcoholic liquor as defined by this Chapter. No shall any person in order to procure the sale and furnishing of alcoholic liquor to any person under the age of twenty-one (21) years, make any false representations as to the age of the person for whom said alcoholic liquor is desired. Nor shall any person under the age of twenty-one (21) years furnish any false information regarding his or her age or make any false representations as to his or her age to any law enforcement officer, or to any person in charge of or employed in a place of business where alcoholic liquor is sold, for the purpose of obtaining a sale of any alcoholic liquor to himself or

herself; provided, however, that nothing herein contained shall prohibit the purchase of alcoholic liquor by a minor under authority of and pursuant to a prescription of a duly licensed physician.

CHAPTER 9048 - DANGEROUS STRUCTURES

1. Dangerous Structures. No person shall maintain any structure which is unsafe or which is a menace to the health, morals or safety of the public.

2. Dangerous Structures - Notice and Hearing. The Village Council may, after notice to the owner and after holding a public hearing thereon, condemn such structure by giving notice to the owner of the land upon which such structure is located, specifying in what respects said structure is a public nuisance and requiring said owner to alter, repair, tear down or remove the same within such reasonable time, not exceeding sixty (60) days, as may be necessary to do or have done the work required by said notice. Said notice may also provide a reasonable time within which such work shall be commenced.

3. Dangerous Structures - Abatement. If, at the expiration of any time limit in said notice, the owner has not complied with the requirements thereof, the Superintendent of Public Works shall carry out the requirements of said notice. The cost of such abatement shall be charged against the premises and the owner thereof in accordance with the provisions of sections 19, 20 and 21 of Chapter VIII of the Charter.

4. Dangerous Structures - Emergency Abatement. The Superintendent of Public Works, with approval of the Village President may abate any such public nuisance, if the public safety requires immediate action, without preliminary order of the Council. Thereafter the cost of abating such nuisance shall be charged against the premises and the owner thereof in accordance with the provisions of sections 19, 20 and 21 of Chapter VIII of the Charter.

CHAPTER 9049 - DANGEROUS EXCAVATIONS

1. Excavation or Holes. The existence within the Village limits of any unprotected, unbarricaded, open or dangerous excavation, holes, pits, or wells or of any excavations, which constitute or are reasonably likely to constitute a danger or menace to the public health, safety, morals and preservation of natural resources are hereby prohibited and declared a public nuisance, provided, however, that this Chapter shall not prevent the construction of excavations under a permit of the Village, where such excavations are properly protected and warning signs and lights located in an approved manner, and provided further that this section shall not apply to drains created or existing by authority of the County of Houghton, the Village of Laurium or other governmental agency. Where the Superintendent of Public Works shall determine a nuisance to exist as herein defined, he shall notify the owner as shown on the latest tax rolls in writing of such finding and require the owner to abate such nuisance within a reasonable time, in no event less than thirty (30) days.

If, at the expiration of any time limit in said notice, the owner has not complied with the requirements thereof, the Superintendent of Public Works shall carry out the requirements of said notice. The cost of such abatement shall be charged against the premises and the owner thereof in accordance with the provisions of sections 19, 20 and 21 of Chapter VIII of the Charter.

2. Dangerous Excavations - Emergency Abatement. The Superintendent of Public Works, with approval of the Village President may abate any such public nuisance, if the public safety requires immediate action, without preliminary notice to the owner. Thereafter the cost of abating such nuisance shall be charged against the premises and the owner thereof in accordance with the provisions of sections 19, 20 and 21 of Chapter VIII of the Charter.

CHAPTER 9101 - TRAFFIC

1. Code Adopted. The Uniform Traffic Code for Cities, Townships and Villages promulgated by the Commissioner of State Police on February 14, 1958, and published in Supplement No. 13, as amended by amendments thereto promulgated February 14, 1961, and published in Supplement No. 25, Michigan Administrative Code, in accordance with Public Act 62 of 1956, State of Michigan, is hereby adopted by reference by the Village of Laurium as Chapter 9101 of the Laurium Village Code, as herein modified.

2. References in Code. References in the Uniform Traffic Code for Michigan Cities, Townships and Villages, to "governmental unit" shall mean the Village of Laurium, references to "this ordinance" shall mean Chapter 9101 of this Code.

3. Notice To Be Published. The Village Clerk shall, at the same time the Laurium Village Code is published, publish a supplementary notice setting forth the purpose of the said Uniform Traffic Code and of the fact that complete copies of the code are available at the office of the Village Clerk for inspection by and distribution to the public at all times.

4. Changes in Code. The following sections and subsections of the Uniform Traffic Code for Cities, Townships and Villages are hereby amended or deleted as set forth and additional sections and sub-sections are added as indicated. Subsequent section numbers used in this Chapter shall refer to the like numbered sections of the Uniform Traffic Code.

Section. 3.12. Coasting on Streets. Section added to read:

Section 3.12. Coasting on Streets. No person shall engage in any sledding, sliding, tobogganing or skiing on any public street unless such street shall have been closed by order of the Chief of Police and is then barricaded to traffic.

Section 5. 96. Passing School Buses. Section added to read:

Section 5. 96. Passing School Buses.

- (a) The driver of any vehicle shall not overtake or meet and pass any school bus which has stopped for the purpose of receiving or discharging passengers. All school buses shall contain such signs on the back and front thereof, with respect thereto, as shall be approved by the State Highway Commissioner.
 - (b) The driver of a vehicle overtaking or meeting any school bus which has stopped for the purpose of receiving or discharging any passengers shall bring such vehicle to a full stop at least ten (10) feet from the school bus and shall not proceed until the school bus resumes motion or the school bus driver signals to proceed or the visual signals are no longer actuated. The driver of the school bus before resuming motion shall signal stopped traffic to proceed and shall when resuming motion proceed in such a manner as to allow congested traffic to disperse by keeping the bus as near to the right side of the road as can be done with safety. Passengers crossing the road upon being discharged from a school bus shall cross in front of the stopped school bus. At an intersection where the traffic is controlled by an officer or a traffic stop and go signal, the vehicle need not be brought to a full stop before passing any such school bus, but may proceed past such school bus at a speed not greater than is reasonable and proper and in no event greater than ten (10) miles an hour and with due caution for the safety of passengers being received or discharged from such school bus.
 - (c) This section shall be enforceable when signs giving notice of this traffic regulation are posted upon or at the entrance to the Village. Said sign shall be appropriate or sufficiently legible as to be seen by an ordinarily observant person.
 - (d) No school bus driver shall stop his bus upon a highway for the purpose of receiving or discharging passengers unless such bus is clearly visible in its stopped position
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- to approaching or overtaking drivers of vehicles for a distance of at least five hundred (500) feet.
- (e) The driver of a vehicle upon any highway which has been divided into two roadways by leaving an intervening space, or by a physical barrier, or clearly indicated dividing sections so constructed as to impede vehicular traffic, need not stop upon meeting a school bus which has stopped in the roadway across the dividing space, barrier or section.
- (f) Every school bus shall in addition to any other equipment and distinctive marking required by law, be equipped with signal lamps mounted as high and widely spaced laterally as practicable which shall be capable of displaying in the front two (2) alternately flashing red lights located at the same level and to the rear two (2) alternately flashing red lights located at the same level. Said lights shall not be less than six (6) inches in diameter.

Subsection 8.10 (s) added as follows:

- (s) On any plowed street in this Village during the months of November, December, January, February, March, and April between 2 A.M. and 7 A.M. Notice of such restrictions shall be placed at all village entrances as required by state code. Any violation of such restriction shall constitute a violation of the Laurium Village Code and any vehicle found in such violation may be impounded. The costs of impounding shall be in addition to any fine or penalty imposed for the violation of the Code.
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