

SUPPLEMENT NO. 3  
August 2017

**COMPILATION OF ORDINANCES**

**CITY OF McBAIN**

**State of Michigan**

**Looseleaf Supplement**

This Supplement contains all ordinances deemed advisable to be included at this time through:

**Ordinance of March 13, 2017, adopted March 13, 2017.**

See the Listing of Ordinances for further information.

*Remove Old Pages*

Title page

ix—xi

xiii—xv

PT50:1—PT50:5

PT53:1

PT164:7, PT164:8

IX:2.1—IX:6.1

*Insert New Pages*

Title page

ix—xi

xiii—xvi

PT50:1—PT50:5

PT53:1—PT53:5

PT54:1

PT164:7—PT164:8.1

IX:3—IX:6.3

Insert and maintain this instruction sheet in front of this publication. File removed pages for reference.

**municode**

Municipal Code Corporation | P.O. Box 2235 Tallahassee, FL 32316  
info@municode.com | 800.262.2633  
www.municode.com



**COMPILATION  
OF  
ORDINANCES**

---

**CITY OF**

**McBAIN**

**STATE OF MICHIGAN**

---

**Published in 1989 by Order of the City Council  
Republished in 2001**

---

**municode**

Municipal Code Corporation | P.O. Box 2235 Tallahassee, FL 32316  
info@municode.com | 800.262.2633  
www.municode.com



## TABLE OF CONTENTS

	Page
Officials of the City at the Time of this Republication.....	iii
Preface .....	v
Listing of Ordinances.....	xi
<b>Categories</b>	
<b>Administration</b>	
Part 1. Council, Officers and Committees .....	PT1:1
Parts 2—14. Reserved .....	PT2:1
<b>Business Regulations</b>	
Part 15. Mass Gathering .....	PT15:1
Part 16. Liquor Licenses .....	PT16:1
Parts 17—49. Reserved .....	PT17:1
<b>Franchises</b>	
Part 50. Gas Franchise .....	PT50:1
Part 51. Cablevision Franchise .....	PT51:1
Part 52. Metro Act Ordinance .....	PT52:1
Part 53. Electric Franchise.....	PT53:1
Parts 54—64. Reserved .....	PT54:1
<b>Traffic and Vehicles</b>	
Part 65. Traffic Code Ordinance .....	PT65:1
Part 66. Supplemental Traffic Regulations .....	PT66:1
Part 67. Snow Removal Regulations .....	PT67:1
Part 68. Snowmobile Regulations.....	PT68:1
Parts 69—89. Reserved .....	PT69:1
<b>Offenses</b>	
Part 90. Firearms and Air Guns.....	PT90:1
Part 91. Loitering .....	PT91:1
Parts 92—119. Reserved .....	PT92:1
<b>Miscellaneous</b>	
Part 120. Annual Service Charge in Lieu of Taxes .....	PT120:1
Parts 121—139. Reserved .....	PT121:1
<b>Environmental Protection</b>	
Part 140. Nuisances .....	PT140:1
Part 141. Anti-Noise and Public Nuisance.....	PT141:1
Part 142. Dismantled or Inoperable Motor Vehicles.....	PT142:1
Part 143. Trees.....	PT143:1
Part 144. Noxious Weeds.....	PT144:1
Parts 145—159. Reserved .....	PT145:1
<b>Public Works and Utilities</b>	
Part 160. Sewer Connection Ordinance .....	PT160:1
Part 161. Cross Connections .....	PT161:1

TABLE OF CONTENTS—Cont'd.

	Page
Part 162. Fluoride .....	PT162:1
Part 163. Sewer Use Ordinance .....	PT163:1
Art. I. Purpose.....	PT163:5
Art. II. Declaration of Necessity .....	PT163:5
Art. III. Definitions .....	PT163:5
Art. IV. Use of Public Sewers Required.....	PT163:12
Art. V. Private Sewage Disposal.....	PT163:14
Art. VI. Building Sewers and Connections .....	PT163:15
Art. VII. Use of the Public Sewers .....	PT163:18
Art. VIII. Industrial Waste Control Program.....	PT163:22
Art. IX. Powers and Authority of Inspectors .....	PT163:24
Art. X. Protection from Damage.....	PT163:25
Art. XI. Conditions of Service.....	PT163:25
Art. XII. Penalties .....	PT163:26
Art. XIII. Validity.....	PT163:27
Art. XIV. Ordinance in Force.....	PT163:27
Part 164. Water Ordinance.....	PT164:1
Art. I. Definitions.....	PT164:3
Art. II. Connections.....	PT164:4
Art. III. Controlled Use .....	PT164:8
Art. IV. Water Rates and Charges.....	PT164:9
Art. V. Enforcement.....	PT164:11
Art. VI. Miscellaneous.....	PT164:12
Part 165. Street and Sidewalk Obstructions.....	PT165:1
Part 166. Cemetery Regulations.....	PT166:1
Part 167. Refuse Collection.....	PT167:1
Parts 168—189. Reserved.....	PT168:1
<b>Public Safety</b>	
Part 190. Fire Department.....	PT190:1
Part 191. Burning Ordinance.....	PT191:1
Part 192. Dangerous Structures .....	PT192:1
Parts 193—219. Reserved.....	PT193:1
<b>Construction Regulations and Housing</b>	
Parts 220—249. Reserved.....	PT220:1
<b>Planning</b>	
Part 250. Planning Commission .....	PT250:1
Part 251. Downtown Development Authority.....	PT251:1

TABLE OF CONTENTS—Cont'd.

	Page
Part 252. Downtown Development Authority; First Amendment . . . .	PT252:1
Part 253. Downtown Development Authority; Second Amendment . . .	PT253:1
Part 254. Downtown Development Authority; Third Amendment . . . .	PT254:1
Part 255. Downtown Development Authority; Development Plan . . . .	PT255:1
Part 256. Downtown Development Authority; Tax Increment Financing and Development Plan Approval . . . . .	PT256:1
Part 257. Downtown Development Authority; Tax Increment Financing and Development Plan Modifications . . . . .	PT257:1
Part 258. Elimination of the Necessity of a Development Area Citizens Council . . . . .	PT258:1
Part 259. Downtown Development Authority Tax Increment Financing and Development Plan Modifications; Amended . . . . .	PT259:1
Part 260. Downtown Development Authority Boundary Amendment (2001) . . . . .	PT260:1
Parts 261—279. Reserved . . . . .	PT261:1
Part 280. Parcel Division . . . . .	PT280:1
Index . . . . .	IX:1



LISTING OF ORDINANCES

<b>Ord. No.</b>	<b>Subject</b>	<b>Location</b>
<i>1893 ORDINANCES</i>		
1	Council, Officers and Committees (superseded by Ord. No. 1 of 1897)	
2	Streets and Sidewalks (superseded by Ord. No. 2 of 1897)	
3	Pounds and Impounding (superseded by Ord. No. 3 of 1897)	
4	Public Health (superseded by Ord. No. 4 of 1897)	
5	Nuisances (superseded by Ord. No. 5 of 1897)	
6	Public Peace (superseded by Ord. No. 6 of 1897)	
7	Hawkers, Peddlers and Auctioneers (superseded by Ord. No. 7 of 1897)	
8	Dogs (superseded by Ord. No. 12 of 1893)	
9	Saloons (superseded by Ord. No. 8 of 1897)	
10	Trees (superseded by Ord. No. 9 of 1897)	
11	Gambling (superseded by Ord. No. 10 of 1897)	
12	Dogs (superseded by Ord. No. 20)	
<i>ORDINANCES—1897 TO PRESENT</i>		
—	Electric Franchise .....	53.000
—	Gas Franchise.....	50.000
—	Traffic Regulations (repealed by Ord. No. 63)	
1	Council, Officers and Committees .....	1.000
2	Street and Sidewalk Obstructions .....	165.000
3	Pounds and Impounding (repealed by Ord. No. 63)	
4	Public Health (repealed by Ord. No. 63)	
5	Nuisances (repealed by Ord. No. 63)	
6	Public Peace (repealed by Ord. No. 63)	
7	Hawkers, Peddlers and Auctioneers (repealed by Ord. No. 63)	
8	Saloons (repealed by Ord. No. 63)	
9	Trees (repealed by Ord. No. 63)	
10	Gambling (repealed by Ord. No. 63)	
11	Bicycles (repealed by Ord. No. 63)	
12	Curfew (repealed by Ord. No. 63)	
13	Tent Shows (repealed by Ord. No. 63)	
14	Firearms and Air Guns .....	90.000
15	Licenses (repealed by Ord. No. 63)	

LISTING OF ORDINANCES—Cont'd.

<b>Ord. No.</b>	<b>Subject</b>	<b>Location</b>
16	Sidewalks (repealed by Ord. No. 17)	
17	Sidewalks and Crosswalks; Construction and Repair (repealed by Ord. No. 63)	
18	Spitting in Public Places (repealed by Ord. No. 63)	
19	Fire Prevention; Fire Limits (repealed by Ord. No. 63)	
20	Dogs (repealed by Ord. No. 63)	
21	Animals Running at Large (repealed by Ord. No. 63)	
22	Water Supply System (repealed by Ord. No. 63)	
23	Licensing and Regulating Trades and Entertain- ment (repealed by Ord. No. 63)	
24	No ordinance for this number	
25	Electricity Franchise (repealed by Ord. No. 63)	
26	Motor Vehicle Regulations (repealed by Ord. No. 63)	
27	Livestock; Barns (repealed by Ord. No. 63)	
28	Parking (repealed by Ord. No. 63)	
29	Building Construction and Repair (repealed by Ord. No. 63)	
30	Snowmobiles (repealed by Ord. No. 63)	
31	Civil Defense Ordinance (repealed by Ord. No. 63)	
32	Oil and Gas Wells (repealed by Ord. No. 63)	
33	Motor Vehicle Noise (repealed by Ord. No. 63)	
34	Snow Removal Regulations . . . . .	67.000
35	Cross Connections . . . . .	161.000
36	Fluoride . . . . .	162.000
37	Sewer Connection Ordinance . . . . .	160.000
38	Traffic Code Ordinance . . . . .	65.000
38-A	Cemetery (repealed by Ord. No. 63)	
39	Downtown Development Authority . . . . .	251.000
40	Cablevision Franchise . . . . .	51.000
41	Downtown Development Authority; Development Plan . . . . .	255.000
42	Sewer Use Ordinance . . . . .	163.000
43	Downtown Development Authority; First Amend- ment . . . . .	252.000
44	Downtown Development Authority; Second Amend- ment . . . . .	253.000

LISTING OF ORDINANCES—Cont'd.

<b>Ord. No.</b>	<b>Subject</b>	<b>Location</b>
45	Downtown Development Authority; Tax Increment Financing and Development Plan Approval . . . . .	256.000
46	Downtown Development Authority; Third Amendment . . . . .	254.000
47	Planning Commission. . . . .	250.000
48	Fees and Charges for Municipal Services (repealed by Ord. No. 63)	
49	Vehicles Spilling Loads (repealed by Ord. No. 63)	
50	Anti-Noise and Public Nuisance . . . . .	141.000
51	Fire Department . . . . .	190.000
52	No ordinance for this number	
53	Downtown Development Authority; Tax Increment Financing and Development Plan Modifications . . .	257.000
54	Junk Vehicles (repealed by Ord. No. 63)	
55	Subdivision Control Ordinance (not printed; copy available in office of City Clerk)	
55A	Adoption of March 13, 1989 Revisions to Compiled Ordinance Book (not printed; copy available in office of City Clerk)	
56	Burning Ordinance . . . . .	191.000
57	Zoning Ordinance (not printed; copy available in office of City Clerk)	
58	Water Ordinance . . . . .	164.000
59	Basic Cable TV Rate Regulation (not printed; copy available in office of City Clerk)	
60	Adult Businesses (repealed by Ord. No. 63)	
61	Elimination of the Necessity of a Development Area Citizens Council. . . . .	258.000
62	Downtown Development Authority; Tax Increment Financing and Development Plan modifications; Amended . . . . .	259.000
63	Various Amendments and Additions to Compilation. . . . .	15.000, 16.000, 66.000, 67.001a—67.001c, 67.003, 67.003a, 68.000, 91.000, 140.000, 141.005, 141.005a, 142.000, 143.000, 144.000, 160.060, 160.060a, 160.063, 161.007, 161.007a, 163.212—163.214, 164.408, 164.503, 165.001—165.003, 166.000, 167.000,

LISTING OF ORDINANCES—Cont'd.

Ord. No.	Subject	Location
		192.000, 191.004, 191.004a, 250.006, 280.000
64	Downtown Development Authority Boundary Amend- ment (2001) . . . . .	260.000
65	Metro Act Ordinance . . . . .	52.000
66	Annual Service Charge in Lieu of Taxes . . . . .	120.000
67	Zoning Ordinance (not printed; copy available in office of City Clerk)	

Part 50

**50.000**

**GAS FRANCHISE  
Ord. of 7-14-2014  
Adopted: July 14, 2014**

- 50.001 Grant, term.
- 50.002 Consideration.
- 50.003 Conditions.
- 50.004 Hold harmless.
- 50.005 Extensions.
- 50.006 Franchise not exclusive.
- 50.007 Rates.
- 50.008 Revocation.
- 50.009 Michigan Public Service Commission, jurisdiction.
- 50.010 Repealer.
- 50.011 Effective date.



AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the CITY OF McBAIN, MISSAUKEE COUNTY, MICHIGAN, for a period of thirty years.

THE CITY OF McBAIN ORDAINS:

**50.001 Grant, term.**

The CITY OF McBAIN, MISSAUKEE COUNTY, MICHIGAN, hereby grants to the Consumers Energy Company, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the CITY OF McBAIN, MISSAUKEE COUNTY, MICHIGAN, for a period of thirty years.

**50.002 Consideration.**

In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

**50.003 Conditions.**

No highway, street, alley, bridge, waterway or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when said work was commenced. All of Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes.

**50.004 Hold harmless.**

Said Grantee shall at all times keep and save the City free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures and equipment hereby authorized. In case any action is commenced against the City on account of the permission herein given, said Grantee shall, upon notice, defend the City and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

**50.005 Extensions.**

Said Grantee shall construct and extend its gas distribution system within said City and shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations.

50.006

GAS FRANCHISE (Ord. of 7-14-2014)

**50.006 Franchise not exclusive.**

The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

**50.007 Rates.**

Said Grantee shall be entitled to charge the inhabitants of said City for gas furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate gas rates and rules regulating such service in said City, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either said City, acting by its City Council, or by said Grantee.

**50.008 Revocation.**

The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

**50.009 Michigan Public Service Commission, jurisdiction.**

Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said City.

**50.010 Repealer.**

This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of a gas ordinance adopted by the City Council on September 10, 1984 entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges and other public places, and to do a local gas business in the CITY OF McBAIN, MISSAUKEE COUNTY, MICHIGAN.

and amendments, if any, to such ordinance whereby a gas franchise was granted to Consumers Energy Company.

**50.011 Effective date.**

This ordinance shall take effect upon the day after the 20th day after adoption thereof; provided, however, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the

same in writing filed with the City Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said City and said Grantee.



Part 53

**53.000**

**ELECTRIC FRANCHISE**

**Ord. of 3-13-2017**

**Adopted: March 13, 2017**

- 53.001 Grant, term.
- 53.002 Consideration.
- 53.003 Conditions.
- 53.004 Hold harmless.
- 53.005 Extensions.
- 53.006 Franchise not exclusive.
- 53.007 Rates.
- 53.008 Revocation.
- 53.009 Michigan Public Service Commission, jurisdiction.
- 53.010 Repealer.
- 53.011 Effective date.



AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the CITY OF McBAIN, MISSAUKEE COUNTY, MICHIGAN, for a period of thirty years.

THE CITY OF McBAIN ORDAINS:

**53.001 Grant, term.**

The CITY OF McBAIN, MISSAUKEE COUNTY, MICHIGAN, hereby grants the right, power and authority to the Consumers Energy Company, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances for the purpose of transmitting, transforming and distributing electricity on, under, along and across the highways, streets, alleys, bridges, waterways, and other public places, and to do a local electric business in the CITY OF McBAIN, MISSAUKEE COUNTY, MICHIGAN, for a period of thirty years.

**53.002 Consideration.**

In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

**53.003 Conditions.**

No highway, street, alley, bridge, waterway or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when said work was commenced. All of Grantee's structures and equipment shall be so placed on either side of the highways as not to unnecessarily interfere with the use thereof for highway purposes. All of Grantee's wires carrying electricity shall be securely fastened so as not to endanger or injure persons or property in said highways. The Grantee shall have the right to trim trees if necessary in the conducting of such business, subject, however, to the supervision of the highway authorities.

**53.004 Hold harmless.**

Said Grantee shall at all times keep and save the City free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures and equipment hereby authorized. In case any action is commenced against the City on account of the permission

53.004

ELECTRIC FRANCHISE (Ord. of 3-13-2017)

herein given, said Grantee shall, upon notice, defend the City and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

**53.005 Extensions.**

Said Grantee shall construct and extend its electric distribution system within said City, and shall furnish electric service to applicants residing therein in accordance with applicable laws, rules and regulations.

**53.006 Franchise not exclusive.**

The rights, power and authority herein granted, are not exclusive.

**53.007 Rates.**

Said Grantee shall be entitled to charge the inhabitants of said City for electricity furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate electric rates and rules regulating such service in said City, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either said City, acting by its City Council, or by said Grantee.

**53.008 Revocation.**

The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

**53.009 Michigan Public Service Commission, jurisdiction.**

Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to electric service in said City.

**53.010 Repealer.**

This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of an electric ordinance adopted by the City on February 9, 1987 entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to construct, maintain and commercially use electric lines consisting of towers, masts, poles, crossarms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, under, along and

across the highways, streets, alleys, bridges and other public places, and to do a local electric business in the CITY OF MCBAIN, MISSAUKEE COUNTY, MICHIGAN for a period of thirty years.

and amendments, if any, to such ordinance whereby an electric franchise was granted to Consumers Energy Company.

**53.011 Effective date.**

This ordinance shall take effect upon the day after the date of publication thereof; provided, however, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the City Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said City and said Grantee.



Parts 54—64

**(Reserved)**



**164.213 Cross-connections control.**

Sec. 2.13. It shall be unlawful for any owner to install and the City shall eliminate and prevent all cross connections, except as authorized by the City and approved by the Michigan Department of Environmental Quality Water Supply Cross Connection Rules being R325.11401 to R325.11407 of the Michigan Administrative Code, as the same shall be amended, changed or supplemented from time to time.

- A. *Inspections.* It shall be the duty of the City to cause inspections to be made of all premises served by the water distribution system where cross-connection is deemed possible. The frequency of inspections and reinspections, based on potential health hazards involved, shall be established by the City.
- B. *Right of entry.* The representative of the City shall have the right to enter, at any reasonable time, any property served by a connection to the water distribution system for the purpose of inspecting the piping system or systems thereof for cross-connections. On request, the owner, lessees, or occupants of any property so served shall furnish to the City any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when reasonably requested, shall be deemed evidence of the presence of cross-connections.
- C. *Discontinue service for violation.* The City is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross-connection has been eliminated in compliance with the provisions of this ordinance [part].

**164.214 Protection of water supply.**

Sec. 2.14. The potable water supply made available on the premises served by the system shall be protected from possible contamination, as specified by this ordinance [part] and by the State of Michigan's and any other applicable plumbing code. Any water outlet that could be used for potable or domestic purposes and that is not supplied by the water distribution system must be labeled in a conspicuous manner as water unsafe for drinking.

**164.215 Discontinuance of service.**

Sec. 2.15. In the event a user of the system desires water service to be discontinued, said user shall so request in writing not less than 48 hours prior to the time such discontinuance of water service is desired. The City will not

recognize the discontinuance of water service unless the provisions of the foregoing sentence have been fully met. Under any other circumstances, discontinuance of service will be charged to the customer at the actual cost of labor, materials, and equipment. The City may refuse or discontinue water service for any violation of any rule, regulation, or condition of service.

**164.216 Shutoff of water.**

Sec. 2.16. The City reserves the right at all times (and will endeavor to give due notice) to shut off the water at the watermains or local distribution lines or to require reduced use or no use of the system for the purpose of making repairs or extensions or for other purposes. All persons having equipment on their premises and depending on water from the watermains or local distribution lines are hereby cautioned against danger that might arise from emergency shutting off of water. In the event of such emergency, the City may designate, in any notice, the extent of any regulation, limitation, or prohibition and the date and time on which it shall take effect.

**164.217 Additional regulations.**

Sec. 2.17. The City Council may take and issue additional rules and regulations concerning the water distribution system, connections thereto, meter installations and maintenance, connection and meter installation fees, hydrants, and watermains and the appurtenances thereto, not inconsistent herewith.

**164.218 Other laws.**

Sec. 2.18. If any statutes of the State of Michigan shall impose greater restrictions than herein set forth, then such ordinances or statutes shall control.

### ARTICLE III

**164.300**

### CONTROLLED USE

**164.301 Limitation of water use.**

Sec. 3.1. The City Council may regulate, limit, or prohibit the use of water for any purpose. Such regulations shall restrict less essential water uses to the extent deemed necessary to assure an adequate supply for essential domestic and commercial needs and for fire fighting. No such regulation, limitation, or prohibition shall be effective until 24 hours after the publication thereof in a newspaper of general circulation in the City, except in an emergency as may be determined by the City's Department of Public Works superintendent. In case

of an emergency, the regulation, limitation, or prohibition shall be and take effect as indicated by the City's Department of Public Works superintendent, and notice



INDEX

	Section
<b>CEMETERY REGULATIONS (Cont'd.)</b>	
Family independence agency burials .....	166.011
Forfeiture of vacant cemetery lots or burial spaces .....	166.008
Grave opening charges .....	166.004
Ground maintenance .....	166.007
Injunctive relief .....	166.017
Internment regulations .....	166.006
Monuments, markers or memorials .....	166.005
Municipal civil infractions .....	166.014
Nuisance .....	166.016
Purchase price and transfer fees.....	166.003
Repurchase of cemetery lots or burial spaces .....	166.009
Sale of lots or burial spaces .....	166.002
Vault.....	166.012
<b>COUNCIL, OFFICERS AND COMMITTEES.....</b>	
Aldermen, duties of.....	1.005
Attorney, duties of .....	1.009
Board of Special Assessors, duties of.....	1.010
Committees, duties of .....	1.011
Effective date.....	1.015
Mayor, duties of.....	1.004
Order of business .....	1.013
Parliamentary procedure.....	1.012
Regular meetings .....	1.001
Special meetings .....	1.002
Standing committees; officers; bonds.....	1.003
Street Commissioner, duties of.....	1.008
<b>CROSS CONNECTIONS .....</b>	
Discontinuing service.....	161.004
Effective date.....	161.008
Enforcement .....	161.007a
Inspection .....	161.002
Penalty .....	161.007
Protection of potable water .....	161.005
Relationship of ordinance to state plumbing code .....	161.006
Right of access, information .....	161.003
Rules adopted .....	161.001
<b>D</b>	
<b>DANGEROUS STRUCTURES.....</b>	
Abatement by City.....	192.009
Cost recovery; lien .....	192.010
"Dangerous structure" defined .....	192.001
Enforcement .....	192.006
Injunctive relief.....	192.008
Inspection .....	192.004
Notice.....	192.003
Nuisance .....	192.007

INDEX

	Section
DANGEROUS STRUCTURES (Cont'd.)	
Penalty .....	192.005
Prohibition .....	192.002
Validity .....	192.011
DISMANTLED OR INOPERABLE MOTOR VEHICLES .....	142.000
Civil action .....	142.006
Definitions .....	142.001
Enforcement .....	142.005
Nuisance .....	142.003
Penalty .....	142.004
Prohibition .....	142.002
Severability .....	142.007
DOWNTOWN DEVELOPMENT AUTHORITY .....	251.000
Board of Trustees .....	251.006
Boundaries of Downtown District .....	251.020
Creation of authority .....	251.004
Definitions .....	251.002
Description of Downtown District .....	251.005
Determination of necessity .....	251.003
Downtown Development Authority finances .....	251.009
Effective date .....	251.012
Fiscal year; adoption of budget .....	251.008
Powers of the authority .....	251.007
Publication, recording and filing .....	251.011
Section headings; severability; repealer .....	251.010
Title of ordinance .....	251.001
DOWNTOWN DEVELOPMENT AUTHORITY BOUNDARY AMENDMENT (2001) .....	260.000
Description of property to be removed from the district .....	260.002
Determination of necessity .....	260.001
Effective date .....	260.004
Legal Description of Downtown Development Area .....	260.010
Publication and filing .....	260.003
DOWNTOWN DEVELOPMENT AUTHORITY; DEVELOPMENT PLAN .....	255.000
Annual report .....	255.006
Approval and adoption of Development Plan .....	255.002
Boundaries of the Development Area .....	255.003
Definitions .....	255.001
Effective date .....	255.007
Establishment of project fund; approval of depository .....	255.004
Use of moneys in the project fund .....	255.005
DOWNTOWN DEVELOPMENT AUTHORITY; FIRST AMENDMENT .....	252.000
Amending of Authority .....	252.004
Board of Trustees .....	252.006
Compensation .....	252.007
Definitions .....	252.002
Description of Downtown District .....	252.005

INDEX

	Section
<b>DOWNTOWN DEVELOPMENT AUTHORITY; FIRST AMENDMENT (Cont'd.)</b>	
Determination of necessity .....	252.003
Downtown Development Authority finances .....	252.010
Effective date .....	252.013
Fiscal year; adoption of budget.....	252.009
Powers of the Authority .....	252.008
Publication, recording and filing .....	252.012
Section headings, severability, repealer .....	252.011
Title of ordinance .....	252.001
<b>DOWNTOWN DEVELOPMENT AUTHORITY; SECOND AMENDMENT ...</b>	<b>253.000</b>
Amending of Authority .....	253.004
Board of Trustees .....	253.006
Compensation .....	253.007
Definitions .....	253.002
Description of Downtown District .....	253.005
Determination of necessity .....	253.003
Downtown Development Authority finances .....	253.010
Effective date .....	253.013
Fiscal year; adoption of budget.....	253.009
Powers of the Authority .....	253.008
Publication, recording and filing .....	253.012
Section headings, severability, repealer .....	253.011
Title of ordinance .....	253.001
<b>DOWNTOWN DEVELOPMENT AUTHORITY; TAX INCREMENT FINANC- ING AND DEVELOPMENT PLAN APPROVAL .....</b>	<b>256.000</b>
<b>DOWNTOWN DEVELOPMENT AUTHORITY; TAX INCREMENT FINANC- ING AND DEVELOPMENT PLAN MODIFICATIONS .....</b>	<b>257.000</b>
<b>DOWNTOWN DEVELOPMENT AUTHORITY; TAX INCREMENT FINANC- ING AND DEVELOPMENT PLAN MODIFICATIONS; AMENDED .....</b>	<b>259.000</b>
Amendment to ordinance .....	259.001
Effective date .....	259.002
Publication .....	259.003
Repeal .....	259.004
<b>DOWNTOWN DEVELOPMENT AUTHORITY; THIRD AMENDMENT .....</b>	<b>254.000</b>
Amending of Authority .....	254.004
Board of Trustees .....	254.006
Compensation .....	254.007
Definitions .....	254.002
Description of Downtown District .....	254.005
Determination of necessity .....	254.003
Downtown Development Authority finances .....	254.010
Effective date .....	254.013
Fiscal year; adoption of budget.....	254.009
Powers of the Authority .....	254.008
Publication, recording and filing .....	254.012
Section headings, severability, repealer .....	254.011
Title of ordinance .....	254.001

INDEX

	Section
<b>E</b>	
ELECTRIC FRANCHISE.....	53.000
Conditions.....	53.003
Consideration.....	53.002
Effective date.....	53.011
Extensions.....	53.005
Franchise not exclusive.....	53.006
Grant, term.....	53.001
Hold harmless.....	53.004
Michigan Public Service Commission, jurisdiction.....	53.009
Rates.....	53.007
Repealer.....	53.010
Revocation.....	53.008
ELIMINATION OF THE NECESSITY OF A DEVELOPMENT AREA CITIZENS COUNCIL.....	258.000
Effective date.....	258.002
Elimination of necessity of a development area citizens council.....	258.001
Publication.....	258.003
Repeal.....	258.004
<b>F</b>	
FIRE DEPARTMENT.....	190.000
Collecting and disbursing agent.....	190.006
Conflicting provisions.....	190.007
Creation of authority.....	190.003
Determination of need.....	190.002
Effective date.....	190.008
Management of fire department.....	190.004
Operation costs.....	190.005
Title of ordinance.....	190.001
FIREARMS AND AIR GUNS.....	90.000
Effective date.....	90.004
Moneys collected.....	90.003
Penalty.....	90.002
Prohibition.....	90.001
FLUORIDE.....	162.000
Addition of fluoride rejected.....	162.001
Effective date.....	162.002
<b>G</b>	
GAS FRANCHISE.....	50.000
Conditions.....	50.003
Consideration.....	50.002
Effective date.....	50.011
Extensions.....	50.005
Franchise not exclusive.....	50.006
Grant, term.....	50.001

## INDEX

	Section
<b>GAS FRANCHISE (Cont'd.)</b>	
Hold harmless .....	50.004
Michigan Public Service Commission, jurisdiction .....	50.009
Rates.....	50.007
Repealer.....	50.010
Revocation .....	50.008
<b>L</b>	
<b>LIQUOR LICENSES</b> .....	16.000
Application for license; new and transfer.....	16.003
Approval standard for new license.....	16.004
Definitions .....	16.001
Legislative intent .....	16.002
License hearing .....	16.008
Objections to renewal and request for revocation.....	16.009
Requirements for license; new and transfer.....	16.005
Reservation of authority .....	16.007
Severability .....	16.010
Term of license .....	16.006
<b>LOITERING</b> .....	91.000
Definition .....	91.002
Enforcement .....	91.004
Loitering .....	91.001
Penalty .....	91.003
Validity .....	91.005
<b>M</b>	
<b>MASS GATHERING</b> .....	15.000
Definitions .....	15.001
License requirements.....	15.002
Severability .....	15.004
Violations .....	15.003
<b>METRO ACT ORDINANCE</b> .....	52.000
Annual report .....	52.014
Authorized City officials .....	52.020
Cable television operators .....	52.015
Compliance .....	52.017
Conduit of utility poles.....	52.007
Conflict .....	52.002
Construction/engineering permit.....	52.006
Establishment and payment of maintenance fee .....	52.010
Existing rights.....	52.016
Issuance of permit .....	52.005
Modification of existing fees .....	52.011
Municipal civil infraction .....	52.021
Permit required .....	52.004
Purpose.....	52.001
Repair of damage .....	52.009

INDEX

	Section
METRO ACT ORDINANCE (Cont'd.)	
Repealer .....	52.022
Reservation of police powers.....	52.018
Route maps .....	52.008
Savings clause .....	52.012
Severability .....	52.019
Terms defined .....	52.003
Use of funds .....	52.013

N

NOXIOUS WEEDS.....	144.000
Collection of cutting expenses .....	144.006
Cutting by City.....	144.005
Definitions .....	144.001
Enforcement .....	144.009
Newspaper notice .....	144.004
Notice.....	144.003
Noxious weed control.....	144.002
Penalties .....	144.008
Prohibition.....	144.007
NUISANCE .....	140.000
Abatement by City.....	140.007
Definitions .....	140.001
Enforcement .....	140.006
Industrial usage.....	140.004
Nuisances .....	140.002
Penalty .....	140.005
Prohibition.....	140.003
Separate court action.....	140.009
Validity .....	140.008

P

PARCEL DIVISION.....	280.000
Appeals to the Zoning Board of Appeals .....	280.008
Approval of land divisions or property transfers required; establishment of exempt splits .....	280.004
Definitions .....	280.003
Enforcement officer .....	280.010
Land configuration variances.....	280.007
Nuisance per se .....	280.011
Procedure for division or property transfer.....	280.005
Purpose.....	280.002
Separate court action.....	280.012
Standards for approval of divisions or property transfers.....	280.006
Title .....	280.001
Validity .....	280.013
Violations and penalties.....	280.009

INDEX

PLANNING COMMISSION.....	Section 250.000
Compensation .....	250.007

