

ORDINANCE NO. 86-1

AN ORDINANCE TO PROVIDE FOR THE LICENSING OF CERTAIN BUSINESS USES WITHIN THE TOWNSHIP OF BIRCH RUN.

THE TOWNSHIP OF BIRCH RUN ORDAINS:

1. Short Title: This Ordinance shall be known as the "Birch Run Township Licensing Ordinance".
2. License or Permit Required: No person, firm or corporation shall, directly or indirectly, operate, conduct or engage in the business of auctioneer, amusement arcade or park, billiard parlor, pool room, carnival, circus, junk or scrap dealer, pawnbroker, massage parlor or massage school without first procuring a license in the manner provided by this Ordinance, or other Ordinances of the Township.
3. Application, License or Permit Fee: The Township Board shall by Resolution establish a license or permit fee so as to cover all costs of the Township in conducting an investigation and enforcement.
4. Application Forms: The Township shall provide a form or forms to be completed by applicants for a license or permit, under this Ordinance, to provide all requisite facts and information the Township deems necessary, and as a condition precedent to the issuance of a license or permit.
5. Permit Procedures: Any applicant for a permit or license shall present to the Township Clerk the application containing answers to all of the questions contained in such application, and providing the information, and documents required and requested by the application.
6. Investigation: The Township shall cause an investigation to be made, by an appropriate agent of the Township, of each application for a permit or license, to determine that, as a condition precedent to the issuance of such license or permit, that the minimum requirements and standards of the Township Ordinances, and applicable statutes have been met.
7. Revocation of Permit: A violation of any section of Township Ordinances, or applicable statutes, may result in the revocation of any permit or license issued hereunder.
8. Allowing Violating of Premises Use: It shall be unlawful for any person, firm, or corporation, to allow the use of any place, business, establishment or premises owned, operated, leased, or managed by such person, firm, or corporation, to be used in violation of any permit or license issued under the provisions of this Ordinance, or any Ordinances that more specifically controls the activity for which a license is required under this Ordinance.
9. Penalties: Any person, firm, or corporation, violating, or neglecting or refusing to comply with any of the provisions of this Ordinance, shall be punished by imposition of a fine, not to exceed Five Hundred and 00/100 Dollars (\$500.00), or by imprisonment in the county jail for a period not to exceed ninety (90) days, or by the imposition of both fine and imprisonment within the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense.

Additional, the proper court shall have power and authority to issue an Injunctive Order in connection with any violation of the provisions of this Ordinance and the Township shall have the right to apply to a court of appropriate jurisdiction for such other relief as is deemed necessary to enforce the provisions of this Ordinance, or to enjoin the violation of the provisions of this Ordinance.

10. Separability: If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion of this Ordinance, and such holdings shall not affect the validity of the remaining portions of this Ordinance.

11. When Ordinance Becomes Effective: It is deemed by the Township of Birch Run, that this Ordinance is necessary to protect the health, welfare, safety, and morals of the inhabitants of the Township of Birch Run, and property therein, and that this Ordinance is needed immediately, and accordingly, this Ordinance shall become effective immediately upon publication thereof.

This Ordinance adopted at a Special meeting, of the Township Board of the Township of Birch Run, on the 27 day of February, 1986.

James Totten
JAMES TOTTEN
Birch Run Township Supervisor

Marcia Strong
MARCIA STRONG
Birch Run Township Clerk

	<u>Aye</u>	<u>Nay</u>	<u>Not Voting</u>
James Totten, Supervisor	✓		
Marcia Strong, Clerk	✓		
Edgar Scharrer, Treasurer	✓		
James Dorr, Trustee	✓		
Alvin Block, Trustee	✓		

This Ordinance published in the Bridgport Birch Run Weekly News on the fourth day of March, 1986.

I, MARCIA STRONG, Birch Run Township Clerk, do hereby certify that the foregoing is an Ordinance adopted by the Township of Birch Run, on the 27 day of February, 1986.

Marcia Strong
MARCIA STRONG
Birch Run Township Clerk

NOTICE OF ENACTMENT OF ORDINANCE

SUMMARY OF ORDINANCE:

PLEASE TAKE NOTICE that the Township of Birch Run did on the 27 day of February, 1986, at a Special Meeting of the Township Board, enact Ordinance No. 86-1. This Ordinance provides for the licensing of certain business uses within the Township of Birch Run, and specifically provides for licensing of the businesses of auctioneer, amusement arcade or park, billiard parlor, pool room, carnival, circus, junk or scrap dealer, pawn-broker, massage parlor or massage school. The Ordinance requires an application to be made for a license or permit before any person, firm, corporation shall directly or indirectly, operate, conduct, or engage in the business of any of the aforementioned. The Ordinance further provides for the payment of a fee, an investigation to be made as to each application and applicant, and penalties for the violation of the Ordinance.

SHORT TITLE:

The Ordinance shall be known as the Birch Run Township Licensing Ordinance.

WHERE COPY OF ORDINANCE CAN BE ACQUIRED OR INSPECTED:

A true copy of the Ordinance can be inspected or obtained at the office of the Township Clerk, at the Birch Run Governmental Center, 8411 Main Street, Birch Run, Michigan 48415.

PENALTY:

The criminal penalty provided in said Ordinance does not exceed the penalty imposed by a general law for a misdemeanor; further, civil penalties for the violation of the Ordinance are provided, as well as provisions for injunctive relief and relief by way of Court orders.

EFFECTIVE DATE:

This Ordinance shall be effective immediately upon publication, it having been determined by the Township Board, that the Ordinance is immediately necessary to protect the health, welfare, safety, and morals of the inhabitants of the Township of Birch Run, and the property therein.

INCONSISTENT ORDINANCE:

All other Ordinances of the Township of Birch Run inconsistent with the provisions of this Ordinance, to the extent of such inconsistency, are superceded by this said Ordinance.

We, JAMES TOTTEN, Supervisor, and MARCIA STRONG, Clerk, do hereby certify that the foregoing is a summary of Ordinance No. 86-1, duly enacted by the Birch Run Township Board, on the 27 day of February, 1986.


 JAMES TOTTEN
 Birch Run Township Supervisor

Marcia Strong
MARCIA STRONG
Birch Run Township Clerk

This Ordinance given publication as provided by law in the
Bridgport Birch Run Weekly News, on March 4, 1986.