

**CODE OF ORDINANCES
CITY OF
BROWN CITY, MICHIGAN**

GENERAL ORDINANCES OF THE CITY

Published by Order of the City Council

**OFFICIALS
of the
CITY OF BROWN CITY, MICHIGAN**

Laura Carpenter, Mayor

Ken Brown
Christine Lee
Mike Lents
Ross McIvor
Julie Miller
Ron Wood
City Council

Kelly Jo Pavel
City Clerk

Gregory T. Stremers
City Attorney

Clinton K. Holmes
City Manager

PREFACE

This Code constitutes a complete recodification of the ordinances of the City of Brown City, Michigan, of a general and permanent nature. As expressed in the Adopting Ordinance, The Code supersedes all such ordinances not included herein or recognized as continuing in force by reference thereto.

Source materials used in the preparation of the Code where the City's 1962 Code, as supplemented through October 23, 2006 and ordinances subsequently adopted by the governing body. The source of each section is included in the history note appearing in parentheses at the end thereof. The absence of such a note indicates that the section is new and was adopted for the first time with the adoption of the Code. By use of the Comparative Tables appearing in the back of this volume, the reader can locate any section of the 1962 Code, as supplemented, and any subsequent ordinance included herein.

Under this system each section is identified with its Title (chapter) and, at the same time, new sections or even whole chapters can be inserted in their proper places, simply by using the decimal system for amendments. By way of illustration: If new material consisting of three sections that would logically come between Sections 30-01 and 30-02 is desired to be added, such new sections would be numbered 30-01.1, 30-01.2 and 30-01.3, respectively. New chapters may be included in the same manner. If the new material is to be included between Title XIII and XV it will be designated as Title 13.5. Care should be taken that the alphabetical arrangement of chapters is maintained when including new chapters. New sections may be included in the same way or, may be placed at the end of the chapter embracing the subject.

Index

The index of the Code has been prepared with the greatest of care. Each particular item has been placed under several headings, some of the headings being couched in lay phraseology, others in legal terminology, and still others in language generally used by municipal officials and employees. There are numerous cross references within the index itself which stand as guideposts to direct the user to the particular item in which he is interested.

Looseleaf Supplements

A special feature of this Code is the looseleaf system of binding and supplemental service, by which the Code will be kept up-to-date periodically. Upon the final passage of amendatory ordinances, they will be properly edited and the page or pages affected will be reprinted. These new pages will be distributed to the holders of the Code with instructions for the manner of inserting the new pages and deleting the obsolete pages. Each such amendment, when incorporated into the Code, may be cited as a part thereof, as provided in Section 5 of the Adopting Ordinance.

The successful maintenance of this Code up-to-date at all times will depend largely upon the holder of the volume. As revised sheets are received it will then become the responsibility of the holder to have the amendments inserted according to the attached instructions. It is strongly recommended by the publishers that all such amendments be inserted immediately upon receipt to avoid misplacing them and, in addition, that all deleted pages be saved and filed for historical reference purposes.

An Ordinance Adopting and Enacting a New Code of Ordinances for the City of Brown City; Establishing the Same; Providing for the Repeal of Certain Ordinances Not Included Therein; Providing for the Manner of Amending Such Code; and Providing When Such Code and This Ordinance Shall Become Effective, which new Ordinance shall be known as Section 05.01 of Title I, Chapter 05.

The City of Brown City hereby ordains:

Section 05.01 Brown City, Michigan Code of Ordinances.

Section 05.01.1 The Code of Ordinances, consisting of Titles I–XV and the Table of Special Ordinances, each inclusive, is hereby adopted and enacted as the "The Brown City, Michigan Code of the Ordinances" which Code shall supersede all general and permanent ordinances of the city adopted on or before August 14, 2006, to the extent provided in Section 2 hereof.

Section 05.01.2 All provisions of such Code shall be in full force and effect from and after the adoption and passage of this ordinance and all conflicting provisions of ordinances of a general and permanent nature enacted on final passage on or before January 22, 2007, and not included in such Code or recognized and continued in force by reference therein are hereby repealed from after the effective date of such Code.

Section 05.01.3 The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 05.01.4 Any person convicted of a violation of such Code shall be punished as prescribed in Section 10.99 hereof, or as provided in any other applicable section of such Code.

Section 05.01.5 Any and all additions and amendments to such Code, when passed in such form as to indicate the intention of the City to make the same a part of such Code, shall be deemed to be incorporated in such Code, so that reference to such Code shall be understood and intended to include such additions and amendments.

Section 05.01.6 In case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in section 10.99 of such Code shall apply to the section as amended, or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 05.01.7 Any ordinance adopted after August 14, 2006, which amends or refers to ordinances which have been codified in such Code, shall be construed as if they amend or refer to like provisions of such Code.

Section 05.01.8 All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 05.01.9 This ordinance and the Code adopted hereby, shall take effect 30 days after adoption, but shall be published as required by law.

INTRODUCTION:

This Ordinance was introduced by Councilmember Julie Miller on January 22, 2007, during a Regular Meeting of the Brown City Council. The Public Hearing thereon was held on January 22, 2007.

MOTION AND VOTE:

Moved by Councilmember Julie Miller, seconded by Councilmember Ross McIvor, to adopt Ordinance 05.01: Brown City, Michigan Code of Ordinances.

Roll Call vote on this Ordinance, six (6) members being present, was as follows:

Yeas:	<u> 6 </u>	Nays:	<u> 0 </u>
Abstain:	<u> 0 </u>	Absent:	<u> 0 </u>

CERTIFICATION:

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance 05.01: Brown City, Michigan Code of Ordinances, adopted as an Ordinance by the City Council at a Regular Meeting held at the City Hall on January 22, 2007.

I do hereby further certify that the said Ordinance 05.01 was published as required by the Brown City Charter in *The Banner*, a newspaper published and circulated in the City of Brown City, County of Sanilac, Michigan, on the 29th day of January, 2007.

Witness my official signature this 29th day of January, 2007.

Kelly J. Pavel
City Clerk