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CHAPTER 110: GENERAL LICENSING

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§110.01 LICENSE 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 ordinance of the city without first obtaining license from the city in the manner provided for in this chapter and the chapter or ordinance of the city requiring such license. ('69 Code, § 7101.1) Penalty, see § 10.99

§ 110.02 CONDITIONS OF ISSUANCE.

No license shall be granted or delivered until the applicant therefore has complied with all the conditions precedent to its issue as set forth in the chapter or ordinance of the city requiring such license. ('69 Code, §7102.1)

§ 110.03 APPLICATION.

(A) Unless otherwise provided in the chapter or ordinance of the city requiring a license, such person required to obtain a license from the city to engage in the operation, conduct or carrying on of any trade, profession, business or privilege shall take application for the license to the Clerk upon forms provided by the Clerk.

(B) All statements required to be made as to facts which are required for or which are applicable to the granting of any license required by the city shall be made under oath or affirmation. ('69 Code, §§ 7103.1, 7103.2) Penalty, see § 10.99

§ 110.04 INVESTIGATION.

The Clerk may refer any application for a license to the Chief of the Police Department, the Chief of the Fire Department, or the Ordinance Enforcement Officer for an investigation and recommendation on matters pertaining to the public safety, health, or welfare which are or may be involved in the exercise of the license applied for, and the Clerk may require information as may be necessary to establish the identity of the applicant. ('69 Code, §7104.1)

§ 110.05 TERMINATION.

(A) Unless otherwise provided in the chapter or ordinance of the city requiring a license, the license shall begin on May 1 in each year and shall terminate on April 30 of the following year. Annual licenses issued after May 1 in any year shall terminate on April 30 of the following year.

(B) In all cases where the provisions of a chapter or ordinance of the city permit the issuance of licenses for a period of less than one year, any license so issued shall become effective on the date of the issuance thereof and shall terminate at the end of the period for which it is issued. ('69 Code, §§7105.1,7105.2)

§ 110.06 STATE LICENSE.

No license required by any chapter or ordinance of the city shall be issued to any person who is required to have a license or permit from the state until such person shall submit evidence that he or she has secured the state license or permit. ('69 Code, § 7106.1) Penalty, see § 10.99

§ 110.07 RENEWAL.

Applications for the renewal of any license shall be considered to be and shall be treated in the same manner as an original application for such license. ('69 Code, §7107.1)

§ 110.08 EXEMPTION FROM FEE.

No license shall be issued by the Clerk under this Code except upon payment of the fee or fees therefor provided in the appendix of this chapter: provided, however, that no license fee shall be required to be paid by any person who is exempt from the payment of such fee by any provision of state or federal laws. Such persons shall comply with all other provisions of this chapter and of the chapter or ordinance of the city requiring the license for which such fee is required. f69 Code, §7108.1)

§ 110.09 NONTRANSFERABILITY.

Licenses issued by the city shall not be transferable, unless specifically authorized by the chapter or ordinance of the city requiring it, and then only in accordance with the provisions of the chapter or ordinance. ('69 Code, §7109.1)

§ 110.10 APPEAL TO COUNCIL.

An applicant for any license who has been refused such license, for any reason, by the authorized issuing officer may appeal such refusal to the Council by setting forth all the facts in a written petition and filing the same with the Clerk. The Council may act on such petition upon the facts set forth therein or may grant a further hearing to the applicant. The decision of the Council on such appeal shall be final. ('69 Code, §7110.1)

§ 110.11 SUSPENSION AND REVOCATION.

Any license required by this Code may be suspended or revoked, or the renewal thereof refused, for misrepresentation of any material fact in the application for such license or for any good cause by the Council, or by the officer of the city to whom application was required to be made to secure such license. ('69 Code, §7111.1)

§ 110.12 DEFINITIONS.

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GOOD CAUSE. Any act, omission, or the permitting of a condition to exist, with respect to the license in question, which is:

- (1) Contrary to the health, moral, safety, or welfare of the public.
- (2) Unlawful or fraudulent in nature.
- (3) A violation of the chapter or ordinance of the city under which the license was granted.
- (4) Beyond the scope of the license issued.

(5) A fact, circumstance, or condition which, had it existed or been known to the issuing authority at the time the license was granted, would have been sufficient grounds for the refusal thereof. ('69 Code, §7111.2)

§ 110.13 NOTICE OF REVOCATION OF LICENSE HEARING.

No license issued under this Code shall be revoked except after hearing before the Council following not less than the ten days notice to the licensee stating the time and place of such hearing and setting forth the reasons for revocation, which notice shall be given by the Clerk. ('69 Code, §7112.1)

§ 110.14 MUST CARRY LICENSE.

(A) No person to whom a license has been granted shall fail to carry the license upon his or her person when engaged in the operation, conduct, or the carrying on of the trade, profession, business, or privilege is operated, conducted, or carried on at a fixed place or establishment, the license shall be exhibited at all times in some conspicuous place in the place or establishment.

(B) No person shall fail to produce any license granted by the city when requested to do so by any police or health officer or by any person representing the issuing authority. ('69 Code, §§ 7113.1, 7113.2) Penalty, see § 10.99

§ 110.15 RECORD OF LICENSE.

The Clerk shall keep a record of all applications for licenses made under this chapter, indicating whether the license applied for in each case has been granted or withheld, and if withheld, the reasons therefor. ('69 Code, §7114.1)

APPENDIX: SCHEDULE OF LICENSE FEES

The licensing fee schedule is hereby adopted by reference and shall be available for public inspection by making copies in the office of the City Clerk. ('69 Code, §7201.1)

CHAPTER 111: AMUSEMENTS

Section

- 111.1 License
- 111.2 Exceptions
- 111.3 Application for license
- 111.4 Granting of license
- 111.5 Bond

§ 111.01 LICENSE.

No person shall conduct, maintain, or operate any carnival, public show, circus, or exhibition to which admission is obtained upon payment of money and which has no permanent location in the city without first obtaining a license as provided in this chapter. ('69 Code, § 7601.1) Penalty, see § 10.99

§ 111.02 EXCEPTIONS.

The provisions of this chapter shall not extend to any exhibitions by the pupils of any school or to any entertainment for the benefit of any school, church, or for any benevolent or charitable object, and nothing contained herein shall be construed to require any school, church, or those giving or responsible for any entertainment for any benevolent or charitable object to obtain a license hereunder. ('69 Code, §7601.2)

§ 111.03 APPLICATION FOR LICENSE.

The Clerk shall require that any person desiring a license under this chapter shall state in his or her application the proposed location of the business, the written consent of the owner of the property, the number of employees, a description of the sanitary facilities on the property, and a sufficient description of the type of show or exhibit to apprise the Clerk of its nature. ('69 Code, §7602.1)

§ 111.04 GRANTING OF LICENSE.

The Clerk shall not grant such license except on certification of the Police Chief, Fire Chief, Ordinance Enforcement Officer and health officer that all requirements prescribed by this Code have been complied with and that the public peace, health, and safety are adequately safeguarded. ('69 Code, §7603.1)

§ 111.05 BOND.

The applicant, before being granted a license, shall file with the Clerk a bond, approved as to form by the City Attorney, running to the city in the amount of \$1,000, which bond shall become available in the payment of any damage to public or private property and the payment of any personal injuries resulting from the conducting, maintenance, or operation of the business and shall be further conditioned that the applicant shall have the premises used by him or her in a clean and sanitary condition. ('69 Code, §7604.1)

CHAPTER 112: AUCTIONEERS

Section

- 112.1 License required
- 112.2 Exceptions

§ 112.01 LICENSE REQUIRED.

No person shall engage in the business of a general or livestock auctioneer without first obtaining a license as provided in this chapter. ('69 Code, § 7701.1) Penalty, see § 10.99

§ 112.02 EXCEPTIONS.

The provisions of this chapter shall not apply to any public or court officer or to any person acting under the license, direction, or authority of any court selling goods, wares, merchandise, or property in the course of his or her official duties. ('69 Code, §7701.2)

CHAPTER 113: ALCOHOLIC BEVERAGES

Section

- 113.1 Definitions
- 113.2 Violation of state law
- 113.3 Consumption of alcoholic beverages
- 113.4 Minors
- 113.5 Sale on Sundays and holidays

§ 113.01 DEFINITIONS.

Words used in this section shall have their usual and customary meanings; provided, however, that all words defined in Public Act 8 of 1933 (Extra Session), being M.C.L.A. §§ 436.1 et seq., as amended, and used in this section, shall have the meaning given in the Act. ('69 Code, §4501.1)

§ 113.02 VIOLATION OF STATE LAW.

(A) No person shall violate any law of the State of Michigan nor any rule or regulation adopted by any authorized agency or the State of Michigan pertaining to alcoholic beverages.

(B) Any violation of the state law or rules or regulations adopted thereunder shall constitute a violation of this Code and shall be punishable as provided herein.
(‘69 Code, §§ 4502.1, 4502.2) Penalty, see § 10.99

§ 113.03 CONSUMPTION OF ALCOHOLIC BEVERAGES.

(A) No alcoholic beverage shall be consumed in public streets, parks, or in any other public place, including any store or establishment doing business with the public not licensed to sell alcoholic beverages or consumption on the premises.

(B) No person who owns, operates or controls any such store or establishment shall permit the consumption of alcoholic beverages therein.
(‘69 Code, §§ 4503.1, 4503.2) Penalty, see § 10.99

§ 113.04 MINORS.

(A) It shall be unlawful for any person under the age of 21 years to offer to buy, obtain, or drink any alcoholic beverage in any place where alcoholic beverage is sold, and for any person to furnish, sell, give, or offer any alcoholic beverage to any person under the age of 21 in any place where alcoholic beverage is sold.

(B) It shall be unlawful for any person under the age of 21 years to falsely represent him or herself to be 21 years of age or over and thereby procure the sale or furnishing to him or herself of any alcoholic beverage, and for any person to make false statements to the age of another for the purpose of inducing the sale or furnishing to any person under the age of 21 years of age any alcoholic beverage.

(C) The person in charge of any place where alcoholic beverage is sold shall have the right at any time to demand of any person offering to buy, buying, or obtaining any alcoholic beverage, satisfactory identification of the age of such person and on failure of such person to show satisfactory identification of his or her age, may refuse to serve such person with any alcoholic beverage and may exclude such person from such place of business. If any such person shall refuse to leave such place of business, he or she shall be deemed a disorderly person.

('69 Code, § 4504.1 - 4504.3) Penalty, see § 10.99

§ 113.05 SALE ON SUNDAYS AND HOLIDAYS.

No licensee shall sell or permit the sale of any alcoholic beverage on Sunday and legal holidays, as governed by state and county law. ('69 Code, § 4505.1) Penalty, see § 10.99

CHAPTER 114: HOSPITALITY SERVICES

Section

- 114.01 Hotels, tourist cabins, tourist houses and lodging houses
- 114.1 Definitions
- 114.2 State law standards

§ 114.01 HOTELS, TOURIST CABINS, TOURIST HOUSES AND LODGING HOUSES.

Each hotel, tourist house, and lodging house shall be operated in accordance with the laws of the State of Michigan under supervision of the Michigan Department of Health. ('69 Code, §6401.1)

§ 114.02 DEFINITIONS.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

RESTAURANT. A restaurant, coffee shop, cafeteria, short-order caffer, luncheonette, tavern, sandwich stand, soda fountain, ice cream or dairy bar, and all other eating and drinking establishments where food or drink, or both, are served or prepared, including kitchens or other places in which food or drink is prepared for sale elsewhere. ('69 Code, §6301.1)

§ 114.03 STATE LAW STANDARDS.

Restaurants shall be operated in accordance with the laws of the State of Michigan under supervision of the Michigan Department of Health. ('69 Code, §6301.2)

