

CHAPTER 115: UNWHOLESOME ACTIVITIES

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Cross-reference:

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RUBBISH HAULERS

§115.01 LICENSE REQUIRED.

(A) Any person hauling or offering to haul for profit and regularly engaged in or offering to regularly engage in the business of hauling rubbish or garbage and/or any other refuse within the city shall, before engaging in such business, make application to the City Council for a license to operate and engage in such business and furnish the license fee, performance bond, and information hereinafter referred to.

(B) Application for approval to engage in such business shall be in writing and signed by the applicant and addressed to the Council and shall be accompanied by a license fee in the sum of \$5.

(C) Such application shall contain the full name and address of the applicant, type of equipment to be used in such business, number of days per week to be spent in such business, routes to be covered, schedule of approximate fees to be charged for the services rendered, and such other information as may, in the discretion of the Council, be requested of the applicant to fully inform the Council of the nature and extent of the service proposed to be rendered by the applicant. 0 69 Code, § 5401.1 - 5401.3)

(D) The license shall be granted for a period of one year and may be renewed for any number of successive one year periods. Each application for a renewal of said license shall be accompanied by the information, license fee and bond as required in an original application. 069 Code, § 5403.1)
Penalty, see § 115.99

§ 115.02 BOND.

Upon the approval by the Council of such application, the applicant shall provide and deliver to the Clerk a performance bond in the sum of \$200 running to the city, conditioned on the fulfillment by the applicant of a continuous rubbish and garbage and refuse service, as set out in the application, which bond shall be forfeited to the city in the event the applicant fails to so perform during the period for which the license has been granted or any renewal thereof. ('69 Code, § 5402.1) Penalty, see § 115.99

JUNKYARDS

§ 115.15 DEFINITIONS.

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

PERSON. Any and every or several individuals, co-partnerships, or corporations, or any combinations thereof. All such persons violating any of the several sections of this subchapter shall be equally liable for any penalties thereunder, whether acting as principals, agents, servants, or employees.

JUNKYARD. Any place fixed in location within the city where used metal, including brass, copper, tin and iron, used paper and rags, or used machinery, including automobiles, is brought or bought for resale, or for dismantling and stripping for resale of parts or as scrap.

JUNK-DEALER. Any person who engages in the activity of operating a junkyard. ('69 Code, §§6101.1,6101.2)

§ 115.16 LICENSE.

Every person and all persons engaging or to engage henceforth in the operation of a junkyard or junkyards within the confines of the city shall be required to secure a license for each location within the city and shall, in order to secure the license, be subject to the standards, regulations and rules hereinafter set forth. ('69 Code, § 6101.3) Penalty, see § 115.99

§ 115.17 LICENSES TO BE SECURED FROM COUNCIL.

Licenses shall be secured from the Lake City Council, and no junkyard shall operate as such without having secured such license. ('69 Code, § 6101.4) Penalty, see § 115.99

§ 115.18 SUBMISSIONS TO CITY CLERK.

Application for license shall be submitted to the City Clerk in writing. The application shall contain the names and addresses of all persons having an interest in said junkyard, whether as owner, agents, servants, or employees, including all offices of any corporate persons. The application shall also contain information as to the exact location and extent of area to be used by the junkyard. Any changes shall be made known upon application for license renewal. ('69 Code, § 6101.5) Penalty, see § 115.99

§ 115.19 COUNCIL TO REGULATE LICENSES.

The Lake City Council shall have sole authority to grant, withhold, or revoke any license in existence or applied for, but does not have sole authority for bringing action against any violation

of the terms, conditions, or regulations contained herein. Upon receipt of a license application, the City Council shall make a full and complete investigation of one location as well as the applicants using whatever means are available to them or whatever agents are delegated by them. Action shall be taken upon the investigation and the application as quickly as possible. ('69 Code, §6101.6)

§ 115.20 APPLICATION FEE.

Upon application approval, the applicant shall forthwith pay an application fee of \$50 and shall thereafter pay an annual license renewal fee of \$50 unless the license shall be revoked in the interim. Each license shall be good for one year from the date of issuance, but only for the location indicated thereon.

('69 Code, § 6101.7) Penalty, see § 115.99

§115.21 CRITERIA FOR LICENSE.

The following standards shall be criteria for determining whether or not a license shall be granted or renewed, or revoked, as well as conditions to be complied with in the operation of any and every junkyard:

(A) All places where junk is stored in a junkyard shall be suitably and completely screened, fenced, or walled from view from any public street or highway.

(B) No junkyard shall be so operated or used as to create nuisance by reason of noise, disagreeable odors, air pollution, fumes, filth or loose debris.

(C) No junk-dealer shall purchase, take, receive or acquire junk from any person that the junk-dealer knows or reasonably should know or suspect is intoxicated, a thief, an associate of thieves or a receiver of stolen property.

('69 Code, § 6101.8) Penalty, see § 115.99

§ 115.22 VIOLATIONS.

Violation of any of the terms of this subchapter shall be as designated in § 115.99(A). In addition, said convicted person shall have any previously granted license revoked for a period of one year, and upon two convictions in any three year period, said license shall be revoked permanently. f 69 Code, § 6101.9) Penalty, see § 115.99

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SLAUGHTER HOUSES

§115.30 LICENSE NEEDED.

No person shall maintain, conduct or operate a slaughterhouse in which any animals are slaughtered for human consumption within the limits of the city without first obtaining a license from the City Council. f69 Code, § 6501.1) Penalty, see § 115.99

§115.31 ANTEMORTEM REQUIRED.

No animal shall be slaughtered until an antemortem inspection has been made by a qualified veterinary inspector, which inspection shall be made not more than 24 hours prior to the time the animal is to be slaughtered. ('69 Code, § 6501.2) Penalty, see § 115.99

§ 115.32 INSPECTION SERVICE FEES.

Inspection service fees shall be \$1 per head with a minimum fee of \$10 for each inspection. ('69 Code, §6501.3)

§ 115.99 PENALTY.

(A) Any person violating any section of this chapter for which no other penalty is set forth shall be subject to the penalty provisions of § 10.99.

(B) Persons depositing garbage or other refuse within the city not in compliance with §§ 115.01 and 115.02 are subject to a fine of not more than \$500 and/or 90 days in jail upon conviction. For each day any of the said sections are violated, the offender shall be deemed to have committed a separate offense. ('69 Code, § 5411.5)

Peddlers, Solicitors, and Transient Merchant

CHAPTER 116: PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS

Section

Hawkers, Peddlers and Solicitors

- 116.1 Definitions
- 116.2 License
- 116.3 Exhibition of license
- 116.4 Bond of solicitors
- 116.5 Invitation to premises

Transient Merchants

- 116.15 Definitions
- 116.16 License

HAWKERS, PEDDLERS, AND SOLICITORS

§116.01 DEFINITIONS.

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

PEDDLER. Any individual, whether a resident of the city or not, traveling either by foot or vehicle from place to place carrying goods, wares, or merchandise, offering and exposing the same for sale, or making sales and delivering articles to purchasers. The word ***PEDDLER*** includes the words ***HAWKER*** and ***HUCKSTER***.

SOLICITOR. An individual, whether a resident of the city or not, traveling either by foot or vehicle from place to place taking or attempting to take orders for the sale of goods, wares or merchandise for future delivery, or for services to be furnished or performed in the future. This definition shall include any person who uses or occupies any building, structure, or other place in the city for the sole purpose of taking orders for future delivery. ('69 Code, §7301.1-7301.2)

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§ 116.02 LICENSE.

It shall be unlawful for any peddler or solicitor to engage in such business within the city without first obtaining a license so provided in this subchapter; provided, however, that any individual selling or offering for sale only goods, wares or merchandise which he or she has grown, raised, or manufactured shall, after meeting all other requirements, be granted a license without payment of the fee required by the appendix of Chapter 110. ('69 Code, § 7302.1) Penalty, see § 10.99

§ 116.03 EXHIBITION OF LICENSE.

Peddlers and solicitors are required to exhibit their license at the request of any citizen. ('69 Code, § 7303.1) Penalty, see § 10.99

§ 116.04 BOND OF SOLICITORS.

Every solicitor, not a resident of the city, or who being a resident of the city represents a firm whose principal place of business is located outside the State of Michigan, shall, before being granted a license, file with the Clerk a surety bond, approved as to form by the City Attorney, running to the city in the amount of \$1,000, conditioned that the solicitor shall fully comply with all provisions of the ordinances of the city and the statutes of the State of Michigan regulating and concerning the business of the solicitor and guaranteeing to any citizen of the city that all money paid as down payment will be accounted for and according to the representations of the solicitor and that the property purchases will be delivered according to the representations of the solicitor. Action on the bond may be brought in the name of the city to the use or benefit of the aggrieved person. ('69 Code, § 7304.1) Penalty, see § 10.99

§ 116.05 INVITATION TO PREMISES.

It shall be unlawful for any peddler or solicitor to enter a private residence or any premises upon which a private residence is located for the purpose of engaging in his or her business without first having been requested or invited to do so by the owner or occupant thereof. ('69 Code, § 7305.1) Penalty, see § 10.99

Peddlers, Solicitors, and Transmit Merchant

TRANSIENT MERCHANTS

§ 116.15 DEFINITIONS.

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

TRANSIENT MERCHANT. Any person, whether a resident of the city or not, who engages in the temporary business of the retail sale and delivery of goods, wares, or merchandise within the city, and who, for the purpose of conducting the business, uses or occupies any lot, premises, building, room or structure including railroad cars; provided, however, that such definition shall not be construed to include merchants having regularly established places of business within the city who make incidental sales or deliveries direct from railroad cars, or to persons making sales at any annual fair, and provided, further, that 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 until his or her inventory has been assessed for taxation in the city. ('69 Code, §7401.1)

§ 116.16 LICENSE.

(A) It shall be unlawful for any transient merchant to engage in such business without first obtaining a license as provided in this subchapter; provided, however, that any person selling or offering for sale any goods, wares, or merchandise on behalf of and solely for the benefit of any recognized charitable or religious purpose shall, after meeting all other requirements, be granted a license without payment of the fee required by the appendix of Chapter 110.

(B) The license fee shall be refunded to any licensee who continues in the same business as soon as his or her inventory has been assessed for taxes in the city; provided, however, that the fee shall not be so refunded until an amount at least equal to the fee has been paid to the city by the licensee in taxes on the licensee's business property or in water charges for water furnished the licensee's place of business.

('69 Code, § 7402.1 -7402.2) Penalty, see § 10.99

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CHAPTER 117: TAXICABS

Section

- 117.1 Definitions
- 117.2 License
- 117.3 Application for license
- 117.4 Insurance
- 117.5 License conditions
- 117.6 Taxicab drivers

§117.01 DEFINITIONS.

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

TAXICAB. Any motor vehicle engaged in carrying passengers for hire and no regular, specified route is traveled; provided, however, that automobiles used exclusively as hearses, funeral cars, or ambulances shall not be construed to be within the definition. ('69 Code, §7501.1)

§ 117.02 LICENSE.

No person shall operate or cause to be operated any taxicab on the streets of the city without first obtaining a license as provided in this chapter. ('69 Code, § 7502.1) Penalty, see § 10.99

§ 117.03 APPLICATION FOR LICENSE.

(A) The Clerk shall require that any person desiring a license under this chapter shall state in his or her application, in addition to all other pertinent information:

(1) The name, address, age, driving experience of each individual who will drive a taxicab, and whether he or she has ever been convicted or pleaded guilty to the violation of any ordinance or statute and the nature of the offense;

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(2) The number of vehicles to be used, the make, model, horsepower, factory number, license number, and seating capacity for each taxicab, and the miles each vehicle has been driven.

(B) Each application for such license shall be accompanied by a garage mechanic's certificate showing that each motor vehicle proposed to be used by the applicant is in good running condition and is mechanically safe for the purpose of being used for a taxicab. ('69 Code, §§ 7503.1, 7503.2) Penalty, see § 10.99

§ 117.04 INSURANCE.

Each application for such license shall be accompanied by evidence of the issuance of insurance in the name of the applicant against injury to persons or property arising from the operation of each such motor vehicle, each policy of public liability insurance to be in the amount of at least \$10,000 and each policy of property damage insurance to be in the amount of at least \$5,000, and such insurance must remain in full force during the entire period of time for which the license is granted. ('69 Code, § 7504.1) Penalty, see § 10.99

§ 117.05 LICENSE CONDITIONS.

Conditions precedent to the continuance of any license issued hereunder are as follows:

(A) The licensee shall immediately report to the Clerk all required information with respect to drivers hired or vehicles acquired subsequent to the issuance of the license.

(B) The licensee shall submit each vehicle used as a taxicab to a safety inspection of the Police Department once in each calendar month and make all repairs ordered as a result of such inspection. ('69 Code, § 7505.1) Penalty, see § 10.99

§ 117.06 TAXICAB DRIVERS.

No person under 18 years of age or person with a physical defect which would render him or her an unsafe driver shall drive or be permitted to drive any taxicab. ('69 Code, § 7506.1) Penalty, see § 10.99

CHAPTER 118: ADVERTISING

Section

- 118.1 Posting prohibited
- 118.2 Back street business signs

- 118.99 Penalty

§118.01 POSTING PROHIBITED.

It shall be unlawful for any person to tack, nail, paste or in any manner affix to any existing street posts, signs, telephone, electric or light poles owned and/or erected by the city any advertising matter, sign or placard, unless a completed application for sign placement has been submitted to the City Clerk and a site study with a recommendation for approval has been completed by the Lake City Zoning Enforcement Officer or the Lake City Enforcement Officer. (Ord. A-64, passed - -) Penalty, see § 118.99

§ 118.02 BACK STREET BUSINESS SIGNS.

In addition to any other conditions contained in this chapter, the following conditions shall apply to any sign advertising of businesses located within Lake City which do not adjoin or have frontage on M-66 or M-55:

- (A) Signs shall be affixed only to existing posts that have been erected and maintained by the city.
- (B) No additional posts will be erected for the purpose of placing advertising signs.
- (C) No signs are permitted on any Michigan Department of Transportation sign installation.
- (D) Signs will only be allowed on intersections nearest to the address of business location.
- (E) Advertising signs will be limited to three per post or less if a clear view of traffic is restricted.
- (F) Signs will be constructed of reflective sheeting over aluminum.
- (G) Signs will not exceed six inches in width and 24 inches in length.

- (H) Signs shall match the color scheme of existing street signs, (for example, white/green or black/white). (Ord. A-64, passed - -) Penalty, see § 118.99

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§ 118.99 PENALTY.

Any person, firm or corporation which violates, disobeys or refuses to comply with any provision of this chapter shall be guilty of a civil infraction and shall be punished by a fine of not less than \$100, nor more than \$500, together with court costs. (Ord. A-64, passed - -)