

CODIFIED ORDINANCES
OF
SHELBY
MICHIGAN

Current through November 1, 2015

CERTIFICATION

We, Paul Inglis, President, and Julie Schultz, Clerk, hereby certify that the general and permanent legislation of the Village of Shelby, Michigan, as revised, arranged, compiled, numbered, codified and printed herewith in component codes, is correctly set forth and constitutes the Codified Ordinances of the Village of Shelby, Michigan, 2000, current through November 1, 2015.

/s/ Paul Inglis
President

/s/ Julie Schultz
Clerk

Codified, edited and published
by
AMERICAN LEGAL PUBLISHING CORPORATION
One West Fourth Street, Suite 300
Cincinnati, Ohio 45202

Copyright by
American Legal Publishing

VILLAGE OF SHELBY
DIRECTORY OF OFFICIALS
(2015)

COUNCIL

Paul Inglis
Bernhardt Michalko
John Sutton
Dan Zaverl
Sharita Prowant
William Harris
Andrew Near

OFFICIALS

President	Paul Inglis
President Pro-Tem	Bernhardt Michalko
Attorney	John Schrier Parmenter O Toole
Village Administrator	Chelsea Stratil
Clerk	Julie Schultz
Treasurer	<i>Vacant</i>
Street Administrator	Chelsea Stratil
Zoning Administrator	Chelsea Stratil
Police Chief	Robert Wilson
Fire Chief	Jack White
Engineer	Fleis & Vandenbrink

AMERICAN LEGAL PUBLISHING
expresses its appreciation
to

all officers and employees
who assisted in the preparation
of these Codified Ordinances.

ORDINANCE NO. 2000-01

AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE CODIFIED ORDINANCES OF SHELBY, MICHIGAN, 2000, BEING A CONSOLIDATION, CODIFICATION AND REVISION OF THE GENERAL BODY OF VILLAGE ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; AND TO APPROVE, ADOPT AND ENACT NEW MATTER THEREIN.

WHEREAS, Council has had the matter of codification and general revision of the ordinances before it for some time; and

WHEREAS, it has heretofore entered into a contract with The Justinian Publishing Company to prepare and publish such codification and general revision; and

WHEREAS, the codification and general revision of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed, are before the Council; now therefore

THE VILLAGE OF SHELBY ORDAINS:

Section 1. The ordinances of the Village of Shelby, Michigan, of a general and permanent nature, as revised, codified, arranged and consolidated into component codes, titles, chapters and sections, are hereby approved, adopted and enacted as the Codified Ordinances of Shelby, Michigan, 2000.

One book-form copy of the Codified Ordinances shall be certified as correct by the Village President and the Village Clerk, attached to this ordinance as a part hereof, and filed with the permanent records of the Village of Shelby, Michigan.

Section 2. All ordinances or parts thereof enacted prior to January 1, 2000, which are inconsistent with any provision of the Codified Ordinances, are hereby repealed as of the effective date of this ordinance, except as follows:

- (a) The enactment of the Codified Ordinances shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purposes of revision and codification.

- (b) The repeal provided above shall not affect:
- (1) The grant or creation of a franchise, license, right, easement or privilege;
 - (2) The purchase, sale, lease or transfer of property;
 - (3) The appropriation or expenditure of money or promise or guarantee of payment;
 - (4) The assumption of any contract or obligation;
 - (5) The issuance and delivery of any bonds, obligations or other instruments of indebtedness;
 - (6) The levy or imposition of taxes, assessments or charges;
 - (7) The establishment, naming, vacating or grade level of any street or public way;
 - (8) The dedication of property or plat approval;
 - (9) The annexation or detachment of territory;
 - (10) Any legislation enacted subsequent to January 1, 2000.

Section 3. All sections and subsections in the Codified Ordinances without a legislative history or with the words "Adopting Ordinance" at the end thereof are or contain new matter ordained by this ordinance, which new matter was found to be necessary to properly update and revise the legislation of the Village to conform to current practice and to render the legislation internally consistent. The following sections and subsections in the Codified Ordinances are or contain new matter and such sections and subsections are hereby approved, adopted and enacted.

- 202.01 Designation; citation; headings.
- 202.02 Amendments and supplements; numbering.
- 202.03 Definitions and interpretation.
- 202.04 Separability.
- 202.05 Sections and ordinances repealed.
- 202.06 Exemptions from repeal.
- 202.99 General Code penalty; complicity; Municipal civil infractions.
- 410.01 Adoption (of Uniform Traffic Code) by reference.
- 410.02 Governmental unit defined.
- 410.03 Publication of chapter and notice; file and distribution copies.
- 410.04 Amendments.
- 420.03 Deposit of ashes, rubbish, debris or snow in streets and alleys.
- 420.04 Through traffic stop streets.
- 420.99 Penalty.
- 430.99 Penalty.
- 440.01 Operation on sidewalks.
- 440.99 Penalty.
- 450.04 Parking near fire hydrants or ambulance garage.

(Cont.)

- 450.05 Parking on First Street.
- 450.06 Parking on Michigan Avenue between Second and Fourth Streets.
- 610.01 Running at large.
- 660.02 Minors curfew.
- 660.99 Penalty.
- 852.01 Permanent public shows, theaters and exhibitions.
- 1020.02 Notice to build or rebuild; condemnation.
- 1040.01 Water roll; collection of charges; penalty and shut-off for delinquent payments.
- 1046.99 Penalty.
- 1420.01 Adoption (of State Construction Code) by reference.
- 1420.02 Purpose.
- 1420.03 File and distribution copies.
- 1420.04 Conflicts of laws.
- 1420.05 Enforcing agency.
- 1420.99 Penalty.

Section 4. The following technical code, adopted by reference in the Codified Ordinances, is hereby approved, adopted and enacted: The State Construction Code. The purpose of this Code is to provide construction and material specifications for all occupancies named in such Code.

Printed copies of such Code shall be kept in the office of the Village Clerk available for inspection by and distribution to the public at all times. A complete copy of such Code is available for public use and inspection at the office of the Village Clerk.

Section 5. This ordinance shall take effect twenty (20) days after publication thereof.

Passed and approved at a regular meeting of the Village Council of the Village of Shelby, Michigan, held in the Council Chambers in said Village on the 10th day of April, 2000; and ordered published in Oceana's Herald Journal in its issue of April 20, 2000.

Countersigned:

Betty L. Poort /s/
Village Clerk

Jack H. Cheever /s/
Village President

CONTENTS

PRELIMINARY UNIT

General

Index

Comparative Section Table

CODIFIED ORDINANCES OF SHELBY, MICHIGAN

CHARTER

PART TWO - Administration Code

PART FOUR - Traffic Code

PART SIX - General Offenses Code

PART EIGHT - Business Regulation and Taxation Code

PART TEN - Streets, Utilities and Public Services Code

PART TWELVE - Planning and Zoning Code

PART FOURTEEN - Building and Housing Code

PART SIXTEEN - Fire Prevention Code

EDITOR'S NOTE

The numbering system used in these Codified Ordinances is consistent with the best accepted practice for codification. Each section is self-identifying as to code, chapter and section number. For example, 238.02 indicates that the code number is 2, the chapter number is 238 (or the 38th chapter within code 2), and the section number is .02. The code and chapter numbers appear left of the decimal, with the code number preceding the first two digits left of the decimal, and the chapter number being the first two digits left of the decimal. The section number appears to the right of the decimal. As another example, 408.01 indicates that the code number is 4, the chapter number is 408 (or the 8th chapter within code 4), and the section number is .01.

With this numbering system, the Codified Ordinances may be expanded almost endlessly. Codes, titles and chapters are initially, with few exceptions, even-numbered, thus reserving the use of odd numbers for future legislation. Sections within chapters are consecutively numbered, except that penalty provisions are usually assigned the number .99. Newly created sections subsequent to the original codification may be indicated by three digits right of the decimal in the event the law properly belongs between two consecutively numbered sections. For example, newly created 660.041, 660.042 and 660.043 follow 660.04 and precede 660.05 to be placed in their logical position.

Section histories enable a user to trace the origin of the law contained in the section. The history indicates the derivation by reference to either its passage date and the ordinance number originally assigned to it at that time, or to its inclusion in any prior code. Sections and subsections without histories or with the words "Adopting Ordinance" at the end thereof are or contain new matter ordained by the Adopting Ordinance that enacts these Codified Ordinances.

The Comparative Section Table is included to show the disposition of every ordinance and resolution included in these Codified Ordinances. It indicates whether a given ordinance or resolution was consolidated with another into one section or split into two or more sections. Cross references direct the user to subject matter reasonably related to material contained within a given chapter.