

ORDINANCE NO. 1A

AN ORDINANCE REPEALING CERTAIN EXISTING ORDINANCES OF THE VILLAGE OF LAKEVIEW IN ORDER TO EFFECT THE REVISION AND COMPILATION OF THE ORDINANCES OF THE VILLAGE OF LAKEVIEW OF 1977.

The Village of Lakeview Ordains:

Section 1. The following ordinances of the Village of Lakeview are hereby repealed to-wit:

Ordinance No. 3 entitled "Regulating the traffic of the Village of Lakeview";

Ordinance No. 19 entitled "Regulating the traffic of the Village of Lakeview";

Ordinance No. 27 entitled "Regulating the traffic of the Village of Lakeview";

Ordinance No. 6 entitled "Disposal of garbage and rubbish within the Village of Lakeview";

Ordinance No. 8 entitled "Prohibiting tampering, damaging or destroying property belonging to the Village of Lakeview";

Ordinance No. 9 entitled "Prohibiting the running at large of dogs"

Ordinance No. 10 entitled "Regulating and Licensing of Hawkers and Peddlers";

Ordinance No. 11 entitled "License and regulate the business of transient merchants";

Ordinance No. 12 entitled "Prescribing Fire Limits within the Village of Lakeview";

Ordinance No. 21 entitled "Amend Ordinance No. 13 which regulates and restricts use of buildings";

Ordinance No. 22 entitled "Amend Sections 4 and 6 of Ordinance No. 13 which regulates and restricts the uses of buildings and land";

Ordinance No. 16 entitled "Relating to installation of gas";

Ordinance No. 17 entitled "Fixing compensation of certain Village Officers";

Ordinance No. 18 entitled "The obstruction of gutter";
Ordinance No. 19 entitled "Regulating the traffic of the Village of
Lakeview";
Ordinance No. 20 entitled "Requiring the removal of all outdoor
closets, privy vaults, sink, cesspools,
urinals or other similar receptacles";
Ordinance No. Amendment to 17 entitled "Fix Compensation of certain
Village Officers";
Ordinance No. 27 entitled "Amend Ordinance No. 3 regulating the
traffic of the Village of Lakeview";
Ordinance No. 31 entitled "Prohibiting the parking and maintaining of
housetrailer and trailer coaches";
Ordinance No. 13A entitled "Repeal Ordinance No. 31 pertaining to
parking and maintaining mobile homes";
Ordinance No. 13B entitled "Amend Section 3 of Ordinance No. 13-A
pertaining to the parking of mobile homes";
Ordinance No. 13B entitled "Amend Section 3 of Ordinance No. 13-A
pertaining to the parking of mobile homes";
Ordinance No. 13C entitled "Repeal 13-A and 13-B pertaining to the
parking of mobile homes";

Section 2. This Ordinance shall be in full force and effect from
and after the 1 day of November, 1977.

This Ordinance shall be published in full in the Lakeview Enterprise
on the 13 day of October, 1977.

I hereby certify that the foregoing Ordinance was adopted by the
Village of Lakeview through its Village Council in public session held at
8:00 P.M. on the 10 day of October, 1977.

Keith Bucholtz, President of Village of Lakeview

Robert Ule, Clerk of Village of Lakeview

ORDINANCE NO. 99-5

AN ORDINANCE REPEALING CERTAIN EXISTING ORDINANCES OF THE VILLAGE OF LAKEVIEW WHICH CONFLICT WITH THE NEW ADOPTED WATER AND SEWER RATES AND CHARGES ORDINANCE.

The Village of Lakeview Ordains:

Section 1: The following Ordinance of the Village of Lakeview are hereby repealed to-wit:

Ordinance No. 55: An ordinance to amend an ordinance to establish rates and charges and provide for the enforcement thereof for the use and service of the sanitary sewer system of the Village of Lakeview.

Ordinance No. 57: An ordinance to amend an ordinance to establish rates and charges and provide for the enforcement thereof for the use and service of the sanitary sewer system of the Village of Lakeview.

Ordinance No. 66: An ordinance to amend an ordinance to establish rates and charges and provide for the enforcement thereof for the use and service of the sanitary sewer system of the Village of Lakeview.

Ordinance No. 66-A: An ordinance to amend an ordinance to establish rates and charges and provide for the enforcement thereof for the use and service of the sanitary sewer system of the Village of Lakeview.

Ordinance No. 92-5: An ordinance to amend an ordinance to establish rates and charges and provide for the enforcement thereof for the use and service of the sanitary sewer system of the Village of Lakeview.

Ordinance No. 53: An ordinance to amend an ordinance to establish rates and charges and provide for the use and service of the water supply system of the Village of Lakeview.

Ordinance No. 67: An ordinance to amend an ordinance to establish rates and charges and provide for the use and service of the water supply system of the Village of Lakeview.

Ordinance No. 67-A: An ordinance to amend an ordinance to establish commodity rate charges for service and use of the water supply system of the Village of Lakeview.

Ordinance No. 92-4: An ordinance to amend an ordinance to establish commodity rate charges for service and use of the water supply system of the Village of Lakeview.

Section 2: This ordinance shall be in full force and effect from and after the 13th day of September, 1999.

Section 3: This ordinance shall be published in a newspaper of general circulation within the boundary of the Village of Lakeview, Michigan and qualified under state law to publish legal notices, promptly after its adoption, and the same shall be recorded in the Ordinance Book of the Village and such recording authenticated by the Village President and the Village Clerk.

We hereby certify that the foregoing ordinance was adopted by the Village Council during a regular session at 7:30 P.M. on September 13, 1999.

Lee Burlison, Village President

L. John Kehl, Village Clerk

**VILLAGE OF LAKEVIEW
MONTCALM COUNTY, MICHIGAN
ORDINANCE NO. 07 – 07
Adopted: October 8, 2007
Effective: October 18, 2007
Published: October 11, 2007**

AN ORDINANCE TO REPEAL ORDINANCE NO. 24, ENTITLED "BOND ORDINANCE" AND
ORDINANCE NO. 26, ENTITLED "BOND ORDINANCE AMENDMENT"

THE VILLAGE OF LAKEVIEW ORDAINS:

Section 1. Repeal of Village Ordinance No. 24. Ordinance No. 24 entitled "BOND ORDINANCE" is hereby repealed in its entirety.

Section 2. Repeal of Village Ordinance No. 26. Ordinance No. 26 entitled "BOND ORDINANCE AMENDMENT" is hereby repealed in its entirety.

Section 3. Publication. This Ordinance shall be published in a newspaper circulated within the boundary of the Village, and the same shall be recorded in the Ordinance Book of the Village and such recording authenticated by the Village President and the Village Clerk.

Section 4. Effective Date. This Ordinance shall take effect immediately upon its publication.

The foregoing Ordinance was offered by Village Councilmember Farrell, supported by Village Councilmember Lobert, the vote being as follows:

Yeas: Winter, Earhart, Lobert, Farrell, Collard

Nays: None

Absent: Schottle, Lund

Ordinance No. 07-07 Declared Adopted.

We certify that the foregoing Ordinance was adopted by the Village Council during a regular session on October 8, 2007.

Edwin Winter, Village President

Wally J. Delamater, Village Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Village Council of the Village of Lakeview, Montcalm County, at a regular meeting held on October 8, 2007, pursuant to the applicable statutory procedures.

Wally J. Delamater, Village Clerk

06950 (004) 33672.01

ORDINANCE NO. 2

AN ORDINANCE CONCERNING DISORDERLY CONDUCT IN THE VILLAGE OF LAKEVIEW
AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

THE VILLAGE OF LAKEVIEW ORDAINS:

SECTION 1. Any person or persons who shall create or aid in any disturbance or riot, or who shall use any indecent or immoral language, or who shall behave in any indecent, improper or immoral manner, or who shall willfully assault another or be engaged in or aid or abet in any fight, quarrel or other disturbance, or who shall willfully or maliciously destroy the property of any person or corporation, or who shall create or aid in any disturbance, or who aids in creating a disturbance, by which peace and good order of the community are disturbed, or who shall be found wandering about in public places either by day or by night without any lawful means of support or without being able to give any satisfactory account of himself, or who allows disorderly persons to resort to or remain in any building owned or occupied by him, or who shall be drunk or intoxicated in any public place or in any hotel, tavern, inn or beer garden or place of business within the Village of Lakeview, shall be deemed guilty of disorderly conduct and punished as hereinafter provided in section Two of this ordinance.

SECTION 2. Any person or persons who shall be deemed guilty of disorderly conduct, as provided in Section One hereof, shall be punished, on conviction thereof, by a fine of not more than One Hundred Dollars, or by imprisonment in the common jail of Montcalm County for a period of not exceeding ninety days, or by both such fine and imprisonment in the discretion of the court, together with the costs of prosecution for such violation as court may order, and, in case such court shall impose a fine and costs only, the person or persons convicted, on failing to pay such fine and costs, may be sentenced by the said court to be imprisoned in the said jail for a term not exceeding ninety days, unless payment thereof be sooner made.

SECTION 3. This ordinance shall take effect on the 14th day of December, A.D. 1953.

Passed and enacted by the Common Council of the Village of Lakeview on this 9th day of November, A.D. 1953.

Eldon Johnson, Village President
Ford Lincoln, Village Clerk

ORDINANCE NO. 41
DISORDERLY CONDUCT
VILLAGE OF LAKEVIEW, MICHIGAN

AN ORDINANCE PROHIBITING DISORDERLY AND OTHER CONDUCT IN THE VILLAGE OF LAKEVIEW.

The Village of Lakeview ordains:

Section 1: ASSAULT AND BATTERY; MALICIOUS DESTRUCTION

It shall be unlawful for any person whether in a public or private place within the Village of Lakeview to:

- I. Assault another or be engaged in or aid or abet in any fight; or
- II. Intentionally commit a battery upon another person; or
- III. Willfully or maliciously destroy the property of another person or corporation;

SECTION 2: RIOT; IMMORALITY; INTOXICATED; LOITER; INCITE.

It shall be unlawful for any person within the Village of Lakeview to:

- I. Create or aid in any disturbance or riot; or
- II. Expose male or female genitals in a place of business or public place other than in a restroom or bathhouse; or
- III. Be intoxicated in a public place and who is endangering directly the safety of another person or of property or is acting in a manner that causes a public disturbance; or
- IV. Loiter in or about any police station or police headquarters building; or
- V. Make or incite any disturbance in any tavern, store or grocery, manufacturing establishment or another other place of business or in any street, sidewalk, lane, alley, highway, public building, grounds or park; or
- VI. Be a window peeper; or
- VII. Knowingly loiter in or about a place where an illegal occupation or business is being conducted; or
- VIII. Be found jostling or roughly crowding people unnecessarily in a public place or in a place open to the public; or
- IX. Prowl about the private yard, garage, driveway, entrance hall, stairway, fire escape, or residence of any other person in the night time without authority or permission of the owner or tenant of the premises; or

X. Enter or remain upon the lands or premises of another without lawful authority, after having been forbidden so to do by the owner, occupant or agent of the owner.

SECTION 3: PARK AREAS; VEHICLES; LIQUOR; DESCRIPTION AND DEFINITIONS.

It shall be unlawful for any person in any public park or any street, sidewalk or parking area open to the general public to;

I. Have in his possession any alcoholic liquor in a container which is open, uncapped or upon which the seal is broken. No operator or owner (if present at the vehicle) shall permit any person to possess any alcoholic liquor which is open, uncapped or upon which the seal is broken within or upon any vehicle which is in any street, sidewalk, or parking area open to the general public.

II. With regard to any vehicle, it shall be presumed that the operator and/or owner (if the owner is present within or upon the vehicle), as the owner is stated upon the most current vehicle registration records at the office of the Michigan Secretary of State, is permitting any other person within or upon the vehicle to possess any open, uncapped, or unsealed alcoholic liquor within or upon the vehicle.

III. Alcoholic liquor means beer, or wine, or any spirituous, vinous, malt or fermented liquor, liquids and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing $\frac{1}{2}$ of 1 percent or more of alcohol by volume which are fit for use for beverage purposes.

SECTION 4: TREES AND SHRUBS; REMOVAL PROHIBITED.

It shall be unlawful for any person within the Village of Lakeview to;

I. Take and carry away from any place any ornamental tree, shade tree, or shrub with the intent to deprive the owner thereof of said plant. It shall also be unlawful to detach from the ground or injure any ornamental tree, shade tree or shrub or part thereof without the consent of the owner thereof.

SECTION 5: OTHER DISORDERLY AND UNLAWFUL CONDUCT.

It shall be unlawful for any person, while on a public street, or in a right-of-way, or in a public place or building, or in any public parking lot to:

1. Congregate in such a fashion so as to obstruct the free and uninterrupted passage of the public.

2. Obstruct vehicular traffic.
3. Lie or sit on the sidewalk.
4. Sit on the steps leading to any building open to the public or to which the public is invited.
5. Sit or recline in office windows, window sills or ledges outside office windows in any building open to the public or to which the public is invited.
6. Sit on the exterior surface of a parked automobile including any place on the fenders, hood and roof of such automobile.

VILLAGE OF LAKEVIEW
MONTCALM COUNTY, MICHIGAN
ORDINANCE NO. 98-1
Adopted: June 8, 1998
Effective: June 28, 1998

AN ORDINANCE TO AMEND ORDINANCE NO. 41 TO REGULATE THE USE OF SKATEBOARDS

THE VILLAGE OF LAKEVIEW ORDAINS:

Section 1. Amendment. Ordinance No. 41 entitled the "Disorderly Conduct Ordinance", is hereby amended to add a new Section 6, which section shall read in its entirety as follows:

SECTION 6: PROHIBITION ON SKATEBOARDING

I. Except as provided in subsection B, it shall be unlawful for any person to ride, propel, push, or otherwise operate a skateboard:

a. Within the Business District (being defined as both sides of Lincoln Avenue including both sidewalks, between First Street and Fourth Street) between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday, and between the hours of 8:00 a.m. and 3:00 p.m. on Saturdays.

b. In any manner so as to cause any injury or potential to any person, including the person using the skateboard, or in any manner as to cause any damage or potential damage to any property not owned by the person using the skateboard.

II. The foregoing shall not apply in private facilities specifically designated for the use of skateboards or on any private property where the owner or person in lawful possession has given permission for such use.

Section 2. Effective Date. This Ordinance shall take effect twenty (20) days after its adoption as provided by law.

Section 3. Publication. This Ordinance shall be published by the Village Clerk as provided by law.

The foregoing Ordinance was offered by Village Councilmember Rasmussen, supported by Village Councilmember Earhart, the vote being as follows:

YEAS: Rasmussen; Earhart; McElhinny; Jensen; Winter; Burlison (6)

NAYS: Schottle (1)

ABSENT: None

ORDINANCE NO. 98-1 DECLARED ADOPTED.

Lee Burlison, President

L. John Kehl, Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Village Council of the Village of Lakeview, Montcalm County, at a regular meeting held on June 8, 1998, at the Village offices, pursuant to the applicable statutory procedures.

L. John Kehl, Clerk

6950 (4) 28911.02

VILLAGE OF LAKEVIEW
MONTCALM COUNTY, MICHIGAN
ORDINANCE NO. 01-03

Adopted: 9-10-01

Published: 9-18-01

Effective: 9-19-01

AN ORDINANCE TO AMEND ORDINANCE NO. 41 TO ADD A NEW SECTION 6A TO PROHIBIT THE MAKING, CREATION OR MAINTENANCE OF SUCH UNREASONABLY LOUD, DISTURBING OR UNNECESSARY NOISES DETRIMENTAL TO THE PUBLIC HEALTH, COMFORT, CONVENIENCE, SAFETY AND GENERAL WELFARE WITHIN THE VILLAGE OF LAKEVIEW.

THE VILLAGE OF LAKEVIEW ORDAINS:

Section 1. Amendment. Ordinance No. 41 entitled the "Disorderly Conduct Ordinance", is hereby amended to add a new Section 6A, which new section shall read in its entirety as follows:

SECTION 6A: PROHIBITION ON UNREASONABLE NOISE

I. DEFINITION. As used in this Section the phrase "unreasonably loud, disturbing or unnecessary noise" shall mean a noise, sound or vibration which is plainly audible at a distance of one hundred feet (100) from the building, structure, vehicle or place from which the sound is emanating and shall be a prima facie evidence of a violation of this Ordinance.

II. GENERAL PROHIBITION. It shall be unlawful for any person, firm or corporation to create, assist in creating, permit, or continue to permit an unreasonably loud, disturbing, or

unnecessary noise which disturbs, injures, or endangers the comfort, repose, health, peace or safety of others within the limits of the Village.

III. ELECTRONIC DEVICES. It shall be unlawful for any person, firm or corporation to play, use, operate, or permit the playing, use or operation of any radio, "boom box", receiving set, stereo, musical instrument, electrically amplified sound system, or other electronic sound device inside or outside of a building, structure, parked or moving vehicle (including motorcycles and mopeds), so as to create an unreasonably loud, disturbing or unnecessary noise which disturbs, injures or

endangers the comfort, repose, health, peace or safety of others within the limits of the Village.

IV. ENGINE EXHAUST. It shall be unlawful for any person, firm or corporation to create, assist in creating, permit, or continue to permit an unreasonably loud, disturbing, or unnecessary noise which disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Village through discharging into the open air the exhaust of any steam engine, stationary internal combustion engine or motor vehicle (including motorcycles and mopeds), including the use of jake brakes from semi tractors, except through a muffler or other device which device effectively prevents such noises.

V. EXEMPTIONS. The provisions of Section 6A:A apply to all unreasonably loud, disturbing, or unnecessary sources of noise except:

(1) Motor vehicles as defined in the Michigan Vehicle code of 1949, MCLA 257.1 et seq; MSA 9. 1801 et seq. lawfully in operation on a public right of way.

(2) Emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster. To restore public utilities, or to protect persons or property from an imminent danger.

(3) Sound made to alert persons to the existence of an emergency, danger or attempted crime.

(4) Activities or operations of governmental units or agencies.

(5) Athletic, musical or cultural activities or events (including practices and rehearsals) conducted by or under the auspices of public or private schools, and public or private colleges or universities.

(6) Home repair, construction or maintenance activities between the hours of 7:00 AM and 8:00 PM.

F. PARENTAL RESPONSIBILITY, ASSISTING VIOLATION. Any parent, guardian or other person having the care or custody of any minor who permits, suffers, allows or encourages such minor to violate the provisions of this ordinance, or any other person of the age eighteen (18) years or over to violate the provisions of the ordinance is guilty of a misdemeanor.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional be a decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Effective Date. This Ordinance shall take effect twenty (20) days after its adoption or upon its publication, which ever occurs first.

The foregoing Ordinance was offered by Village Councilmember Rasmussen, supported by Village Councilmember Winter, the vote being as follows:

YEAS: Earhart, Winter, Rasmussen, and Schottle

NAYS: Lund

ABSENT: McElhinny

ORDINANCE NO. 01-03 DECLARED ADOPTED.

Janet Earhart, President Pro-Tem

Wally J. Delamater, Village Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Village Council of the Village of Lakeview, Montcalm County, at a regular meeting held on September 10, 2001, at the Village office, pursuant to the applicable statutory procedures.

Wally J. Delamater, Village Clerk

VILLAGE OF LAKEVIEW
MONTCALM COUNTY, MICHIGAN
ORDINANCE NO. 01-04

Adopted: 9-10-01
Published: 9-18-01
Effective: 9-19-01

AN ORDINANCE TO AMEND ORDINANCE NO. 41 TO ADD A NEW SECTION 6B TO ESTABLISH A CURFEW FOR MINORS WITHIN THE VILLAGE OF LAKEVIEW.

THE VILLAGE OF LAKEVIEW ORDAINS:

Section 1. Amendment. Ordinance No. 41 entitled the "Disorderly Conduct Ordinance" is hereby amended to add a new section 6B, which section shall read in its entirety as follows:

SECTION 6B: CURFEW FOR MINORS

A. UNDER TWELVE. No minor under the age of twelve (12) years shall loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 10:00 pm and 6:00 am, unless the minor is accompanied by a parent or guardian, or some adult delegated by the parent or guardian to accompany the child.

C. UNDER EIGHTEEN. No minor under the age of eighteen (18) years shall loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 11:00 pm and 6:00 am, unless the minor is accompanied by a parent or guardian, or some adult delegated by the parent or guardian to accompany the child.

D. PARENTAL RESPONSIBILITY, ASSISTING VIOLATION. Any parent, guardian or other person having the care of custody of any minor who permits, suffers, allows or encourages such minor to violate the provisions of this ordinance, or any other person of the age of eighteen (18) years or over to violate the provisions of the ordinance is guilty of a misdemeanor.

Section 2. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. EFFECTIVE DATE. This Ordinance shall take effect twenty (20) days after its adoption or upon its publication, whichever ever occurs first.

The foregoing Ordinance was offered by Village Councilmember Schottle, supported by Village Councilmember Winter, the vote being as follows:

YEAS: Earhart, Winter, Rasmussen and Schottle

NAYS: Lund

ABSENT: McElhinny

ORDINANCE NO. 01-04 DECLARED ADOPTED.

Janet Earhart, President Pro-Tem

Wally J. Delamater, Village Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Village Council of the Village of Lakeview, Montcalm County, at a regular meeting held on September 10, 2001, at the Village office, pursuant to be applicable statutory procedures.

Wally J. Delamater, Village Clerk