



REGULAR MEETING AGENDA
August 26, 2013

1. Call to Order, Roll Call of Council, Pledge of Allegiance and Invocation
2. Approval of Consent Agenda:
 - Approve the Minutes of the August 12, 2013 Regular Meeting
 - Approve the Bills to be Paid
 - Accept the Minutes of the August 19, 2013 DDA Meeting
 - Accept the Minutes of the August 15, 2013 AuSable River Center Meeting
3. Approval of Regular Agenda
4. Brief Public Comment on Regular Agenda Items (Two minutes per speaker)
5. Manager's Report
6. Unfinished Business:
Volunteer Driver Policy
7. New Business:
Safe Walk Snow Clearing
Budget Requests
8. Public Acknowledgement (Two minutes per speaker)
9. Council Comments
10. Items for the Next Agenda
11. Adjournment

VILLAGE OF ROSCOMMON
Minutes of the August 12, 2013 Regular Council Meeting

President Erine Adams called the meeting to order at 6:00 PM. Members of the Council present: Erine Adams, Mark Larsen, Linda Mesler, Diane Lippert and Marc McKee. Absent: Bruce Yannatta and Jesse Carlson (Both present at 7:00 PM) Also present, at 6:00 PM: Sue Jock, Dave Hodges, Doug Coates, Krista Tacey-Cater and Dawn Dodge. Also present, at 7:00 PM: Kathy Pardo-Carlson, Jim Anderson, Dan Fishel, Chris Fishell, Pam Miller, Aaron Monette and Beth Crawford. The Pledge of Allegiance was recited and an Invocation given by Manager Lowe.

INFRASTRUCTURE TOUR

Dave Hodges, DPW director, gave a tour of the DPW plant and water tower from 6:00-7:00 PM.

Returned to Village Hall at 7:00 PM.

Trustee Yannatta and Trustee Carlson arrived at 7:00 PM.

SHERIFF'S REPORT

The Sheriff's Report is in the agenda. No deputies present.

CONSENT AGENDA

Moved by McKee, seconded by Yannatta, to approve the Consent Agenda, including bills to be paid, in the amount of \$28,795.48. Ayes: McKee, Larsen, Yannatta, Mesler, Carlson, Adams and Lippert. Nays: None. The motion carried.

REGULAR AGENDA

Moved by Yannatta, seconded by Mesler, to approve the Regular Agenda. All in favor. Hearing no objections, the motion carried.

BRIEF PUBLIC COMMENT ON REGULAR AGENDA ITEMS

Dan Fishel: Passed out a hand-out regarding the Volunteer Driver Policy. Commented on the policy and the hold harmless agreement.

Sue Jock: Commented regarding volunteer drivers and umbrella policies.

MANAGER'S REPORT

The Manager gave his report.

Dave Hodges: Announced his plans to retire on November 1.

UNFINISHED BUSINESS

-Second Street Project

Doug Coates discussed the Second Street project.

Moved by Yannatta, seconded by Lippert, to approve the Second and George Street Reconstruction Proposal from Gosling Czubak in an amount not to exceed \$14,495.00. Ayes: McKee, Larsen, Yannatta, Mesler, Adams and Lippert. Nays: Carlson. The motion carried.

-SAW Grant Information

Doug Coates gave an update on the WWTP permit, Lear, the sewer TV work and gave information regarding the SAW grant.

-Approve Matt's Restaurant Resolution

Although a settlement agreement had been reached, the agreed-upon Resolution had never been written.

Moved by McKee, seconded by Lippert, to approve the Resolution dated August 12, 2013 approving the April 23, 2013 Settlement Agreement. Ayes: Lippert, Mesler, Carlson, Adams and Yannatta. Nays: McKee and Larsen. The motion carried.

-Animal Ordinance Amendment

Discussion regarding allowing chickens in the Village.

Moved by McKee, seconded by Yannatta, to permit chickens as an allowed usage in the Village and amend the Ordinance to allow chickens. Ayes: Lippert and McKee. Nays: Yannatta, Carlson, Adams, Mesler and Larsen. The motion failed.

-Volunteer Driver Policy

Moved by McKee, seconded by Yannatta, to approve the Resolution dated August 12, 2013 approving the Volunteer Driver Policy. Ayes: Larsen and Carlson. Nays: McKee, Lippert, Yannatta, Adams and Mesler. The motion failed.

-Municipal League Convention Attendance

Trustee McKee would like to attend.

Moved by Yannatta, seconded by Mesler, to send Marc McKee to the MML three-day conference. Ayes: Carlson, Mesler, Lippert, Yannatta and McKee. Nays: Larsen and Adams. The motion carried.

NEW BUSINESS

-RMRA Appointment

President Adams appointed Pam Miller to the RMRA board.

Moved by Yannatta, seconded by Lippert, to approve the Village President's appointment of Pam Miller to the RMRA board to fill a term ending September 30, 2013. All in favor. Hearing no objections, the motion carried.

-Blue Cross Renewal Date

This is only to change the date of renewal.

Moved by Lippert, seconded by McKee, to change our currently scheduled medical insurance plan renewal date from January 2014 to December 2013. Ayes: Mesler, Carlson, McKee, Yannatta, Larsen, Lippert and Adams. The motion carried.

-Hawkers and Peddlers Ordinance

The Clerk explained some recent problems with peddlers and asked the Council to review the ordinance to see if there are any changes they would like to see.

PUBLIC ACKNOWLEDGEMENT

Aaron Monette: Would like to see chickens allowed.

Jim Anderson: Informed everyone of the DDA public workshop on August 22. Believes chickens should be allowed.

Sue Jock: Would like to see everyone come to the workshop and give opinions. Supports having chickens and rabbits in the Village.

COUNCIL COMMENTS

Trustee Lippert: Thanks for the DPW tour. Thanked everyone for coming to the meeting.

Trustee Yannatta: Questioned when the dialysis center was going to begin building. Buy local.

President Adams: Thanks for keeping everything professional.

Trustee McKee: Thanks for sending him to the convention. Is willing to donate his time to attend the convention.

Trustee Carlson: Would be nice if another councilmember could attend the MML convention as well.

ITEMS FOR THE NEXT AGENDA

Manager has a list.

Moved by Carlson, seconded by McKee, to adjourn the meeting at 8:50 PM. All in favor.

Hearing no objections, the motion carried.

Erine Adams
Village President

Dawn Dodge
Village Clerk

Inv Ref#	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
1351	ROBERT WATERMAN	08/21/2013	08/30/2013	126.15	126.15	0	N
1352	DAVID DOLL	08/21/2013	08/30/2013	200.00	200.00	0	N
1353	MARK VICK	08/21/2013	08/30/2013	220.00	220.00	0	N
1354	STANDARD ELECTRIC COMPANY	08/07/2013	08/30/2013	834.85	834.85	0	N
1355	SENSUS	08/14/2013	08/30/2013	1,524.60	1,524.60	0	N
1356	HOUGHTON LAKE RESORTER	08/15/2013	08/30/2013	37.00	37.00	0	N
1357	M-33 ACCESS	08/13/2013	08/30/2013	569.76	569.76	0	N
1358	ROSCOMMON COUNTY SHERIFF'S	08/15/2013	08/30/2013	1,666.29	1,666.29	0	N
1359	SENTRY INSURANCE COMPANY	08/15/2013	08/30/2013	129.87	129.87	0	N
1360	FICK & SONS, INC.	08/12/2013	08/30/2013	463.61	463.61	0	N
1361	VALLEY TRUCK PARTS	08/12/2013	08/30/2013	64.58	64.58	0	N
1362	OTEC	08/12/2013	08/30/2013	30.00	30.00	0	N
1363	MICHIGAN DEPT OF LICENSING	08/14/2013	08/30/2013	130.00	130.00	0	N
# of Invoices: 13 # Due: 13				Totals:	5,996.71		
# of Credit Memos: 0 # Due: 0				Totals:	0.00		
Net of Invoices and Credit Memos:					5,996.71		

--- TOTALS BY FUND ---

101 - General Operating	2,716.97
590 - Sewer Fund	1,046.96
591 - Water Fund	1,722.95
661 - Equipment Fund	509.83
TOTALS BY DEPT/ACTIVITY ---	
000 -	3,409.61
265 - Village Hall	374.66
330 - Law Enforcement	1,792.44
370 - Building Department	220.00
400 - Zoning and Planning	200.00

**ROSCOMMON DOWNTOWN DEVELOPMENT AUTHORITY
BOARD MINUTES
AUGUST 19, 2013**

Members Present: President Anderson, Jock, Hodges, Norton, O'Brien, Weiss, Weiller, Karjalainen, Schwalm

Others Present: Kevin Howe, Carol Garlo, Janae Ostling, Allen Lowe, Mike Miller

Motion by O'Brien with support from Norton to approve Secretary's report from July as presented. All in favor, motion carried.

Motion by O'Brien with support from Karjalainen to approve Treasurer's Report with cash on hand in the amount of \$121,380.96, and bills to be paid in the amount of \$1,934.42. All in favor, motion carried.

DISTRICT LIBRARY

Two landscaping companies were interviewed last week. The board has not yet made a decision.

O'Brien informed the board that four light poles are being placed at the library, and they will match the current DDA light poles.

DDA DEVELOPMENT PLAN

The DDA board will be meeting with Beckett Raeder Wednesday at 5:30, Village Hall for a Trolley ride around the Village. 5:30pm Thursday Aug 22nd at the CRAF Center Beckett Raeder will be holding a planning session. Janae will contact the Houghton Lake Resorter and The Voice to invite them on the ride along Wednesday night. Village Council should also be included in the ride along.

FARM MARKET

Doug Hodges discussed the possibility of a more permanent sign at the old Colonial site.

SIDEWALKS & STREETSCAPES

Estimate from John Billette on sidewalks at George and Sixth is \$4,000.00 and \$10,000.00 for sidewalk at Main and Sheley on River Center side of road. Motion by Weiss with support from O'Brien to move forward with sidewalk project at George and Sixth Street creating a contiguous sidewalk. All in favor, motion carried. Discussion will be held at a later date on Main Street project.

INDUSTRIAL PARK AND ECONOMIC DEVELOPMENT

Discussion on Dialysis Clinic.

President Anderson would like to set up a lunch with LEAR again.

VILLAGE OF ROSCOMMON

Working on Village budget.

Dave Hodges announced his retirement as of November 1st from the Village of Roscommon.

RECREATION AUTHORITY

Discussion on scrolling board outside the CRAF center showing what the center has to offer the community.

Motion by Norton with support from Schwalm to allow the Façade Grant Committee to review final payment for Roscommon Weekly's new signage. All in favor, motion carried.

Motion by Norton with support from Weiss to adjourn meeting at 9:00a.m. All in favor, motion carried.

AuSable River Center minutes of August 15, 2013 meeting

Present: Nagels, Beardslees, Tuckers, Wilders, Yan^aetta, Borak, Bob Edwards.

Minutes of July 18th approved, treasurers report accepted.

Model train club took a display to the Sanford RR expo and they are starting to plan for Christmas in the Village.

Canoe raffle tickets - sold \$900 at Canoe marathon, \$650 at T.C..
Pam made popcorn during the last concert series at CRAF center and Jim collected \$80. a brisk evening.

'Made In Roscommon' Saturday, shouldn't be held the same day as Higgins Lake Awareness Day (first Saturday in August.).

Pam and Al have gotten data together to request an energy audit.

A list was compiled for possible Community service person: grass cut, snow removal, window washing, possibly painting. We agreed to purchase a gas mower.

Bruce will need transport for the canoe Friday night before F.M.F., and volunteers for Saturday Sept. 21.

Web site will be updated, an additional password is involved.

Next meeting Sept. 19th.

jb

Village of Roscommon Volunteer Driver Policy

In the continuing effort to protect the Village residents from exposure to liability due to actions of volunteers using Village vehicles and equipment, the Village Council adopts this policy.

Each individual who wishes to use a piece of village equipment or vehicle to do work on behalf of the Village must complete the attached Volunteer Driver Release Form.

The Village Manager will submit the information to the Michigan Secretary of State Subscription Service.

Permission to use equipment and vehicles can be withdrawn at any time by the Manager or Council.

Ayes: _____

Nays: _____

Adopted by the Village of Roscommon Council on _____

VILLAGE OF ROSCOMMON

Volunteer Driver Release Form

This form must be completed by any individual before they operate a Village vehicle or piece of equipment for Village business.

Full Name of Driver as it appears on the Driver's License:

Date of Birth: _____

Driver's License Number: _____

(This information will be sent to the Government Subscription Service. That agency will notify the Village of any current or future negative driving activity posted to your record.)

Mailing Address: _____

City & Street: _____ Zip: _____

Emergency Contact: _____ Phone: _____

E-Mail Address: _____

I hereby release indemnify and hold harmless the Village of Roscommon, its officers, directors and the organizers, sponsors and supervisors of all its activities, from any and all liability in connection with any injury (or claim of damages) in conjunction with my use of a Village vehicle.

Signature: _____

Allen Lowe

From: tim orourke [orourket@roscommoncra.com]
Sent: Monday, August 12, 2013 10:18 AM
To: 'Catherine Erickson'; 'Allen Lowe'; 'James Anderson'
Subject: CR100 Safe Routes Maintenance

Hello Everyone, I know it's a long way off, but are we anticipating any changes to last year's winter maintenance agreement? I would like to have everything agreed to well in advance if possible. I believe the total billings from Higgins Lake Landscaping for last winter amounted to \$2,040. This was split 3 ways between your organizations. Please advise at your earliest convenience. Tim O.

VILLAGE OF ROSCOMMON

ORDINANCE NO. 5

HAWKERS, PEDDLERS, EXHIBITORS AND TAXIS

An Ordinance to License Peddlers, Hawkers, Exhibitors and Taxicabs

THE VILLAGE OF ROSCOMMON ORDAINS:

SECTION 1.

That it shall be unlawful for any person or persons, firm or company to hawk or peddle, to pursue or carry on any trade, or occupation or business within the Village of Roscommon for which a license is hereinafter required, until a license shall have first been procured in the manner hereinafter provided.

SECTION 2. DEFINITIONS.

Hawk - To offer merchandise or wares by calling out in the street.

Hawker - One who hawks wares or merchandise.

Peddle - To travel about with merchandise or wares, or to offer merchandise or wares from place to place.

Peddler - One who offers merchandise or wares along the street or from door to door.

SECTION 3.

The proprietor or proprietors, manager or Managers, or any other person or persons in charge of any caravan of animals or circus, or any other exhibition given under a tent shall, before exhibiting the same within the Village of Roscommon, first obtain a license so to do and shall pay for such license for each day such caravan, circus, or other exhibition shall exhibit or give any performance for money, the sum of Fifty (\$50.00) Dollars.

SECTION 4.

The proprietor or proprietors, manager or managers, of theatrical exhibitions, sporting performances, concerts, and all other public shows or performances for money in any opera house, hall or building shall before giving any such exhibition, concert or show, obtain a license so to do and shall pay for such license Fifty (\$50.00) Dollars for the first day and Ten (\$10.00) Dollars for each succeeding day. This section shall not apply to any exhibition or concert by the pupils of any public school, nor to any concert or entertainment for any church or benevolent society, local club, lodge, society, or picture show regularly showing in said Village of Roscommon.

SECTION 5.

All peddlers or hawkers exercising their calling within the Village of Roscommon shall, before doing so, obtain a license and shall pay for such license for one week the sum of Fifty (\$50.00)

Dollars and for a less time the sum of Ten (10.00) Dollars each day. The same shall apply to all persons selling or offering for Sale goods, wares or merchandise, by hand, handcart, show stand, vehicle or otherwise upon the public streets or grounds of said village. This section shall not apply to persons selling domestic fruits, vegetables, dairy or farm products, or butchers meat or fish.

SECTION 6.

It shall be unlawful for any person or persons to operate a taxi or, other passenger vehicle for hire upon any street within the corporate limits of the Village of Roscommon without first obtaining a Village License for this purpose. All applications for taxi and other passenger hauling licenses shall be made to the Village Council in writing and be accompanied by a fee of Twenty-Five (\$25.00) Dollars, same to be in payment of license, if granted, or refunded if license applied for is denied. All licenses issued under this Section shall expire on December 31st of the year for which they are issued.

SECTION 7.

All licenses required by the provisions of this ordinance shall be granted by the village clerk and each license shall be consecutively numbered, stating the amount paid, the name of the person or person- licensed, the business, occupation or matter licensed and the time for which the license is granted.

SECTION 8.

The council reserves the right to waive or alter fee structures set by this ordinance. For an organization or individual to qualify for, altered or waived fees, application for licensing must be started in sufficient time to be presented to council at a regular meeting for their decision.

SECTION 9.

The council may at any time revoke and annul any license hereafter granted by this or any other ordinance of the Village of Roscommon, whenever in the opinion of the council it shall be deemed expedient so to do. Whenever any license is so revoked and annulled, the village clerk shall give notice thereof in writing to the party to whom such license, was granted, and if any license shall be revoked and annulled because of the wrongful or unlawful act of the party to whom such license was granted all the money paid for the license revoked shall be forfeited to the village.

SECTION 10.

Any person or persons violating any of the provisions of this ordinance shall, upon conviction for such offence, be punished by a fine not exceeding One Hundred (\$100.00) Dollars and cost of prosecution, by imprisonment in the county jail of Roscommon County for a term not exceeding ninety (90) days, or by both such fine and imprisonment, at the discretion of the court.

SECTION 11.

Ordinances or parts of Ordinance--, conflicting with the above are hereby repealed. Sections of this ordinance shall be determined severable and should any section or provision of this ordinance be declared by the courts to be invalid or unconstitutional, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part declared to be unconstitutional or invalid.

This is a composite of the original ordinance and any/all amendments. The original ordinance and amendments are kept on permanent file at Village Hall.

**VILLAGE OF ROSCOMMON
ORDINANCE NO. 69
BLIGHT ORDINANCE**

THE VILLAGE OF ROSCOMMON ORDAINS:

An ordinance to designate an enforcing official to discharge the responsibilities of the Village of Roscommon under the provisions of the State Construction Code Act (Act 230 of the public acts of 1972, as amended).

SECTION 1. PURPOSE

The purpose of this ordinance is to prevent, reduce or eliminate blight or potential blight within the Village of Roscommon by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the Village.

SECTION 2. DEFINITIONS

For the purpose of this ordinance, the following terms are defined as follows:

(1) The term "junk" shall include, without limitation, parts of machinery or motor vehicles, unmounted motor vehicle tires, broken and unusable furniture, unusable, stoves, refrigerators or other appliances stored in the open

of wood, metal, cast off household items and fixtures, broken toys and bicycles, broken lawn furniture, or other material of any kind, whether or not the same could be put to any reasonable use.

(2) The term "junk motor vehicle" shall include, without limitation, any vehicle which is not licensed for use upon the highways of the State of Michigan. for a period in excess of 60 days and shall also include, whether licensed or not, any vehicle which is inoperable for any reason for a period in excess of 30 days, The following are excepted from this term:

- a. Vehicles kept as the stock in trade of a regularly licensed and established new or used automobile or other motorized vehicle dealer.
- b. Vehicles may remain upon the premises of a licensed motor vehicle repair garage for a period of 60 days rather than 30 days, with extension of additional 30 day periods upon presentation of written proof the offending vehicle is involved in insurance claim litigation or a similar matter and additional time is required for settlement before a vehicle can be moved.
- c. Vans and trailers kept as stock in trade of a licensed canoe livery which are registered for the business season and stored for the remainder of the year.
- d. Recreational vehicles, travel trailers, "fifth wheels" and other similar vehicles that are normally used for travel purposes and that are licensed either annually or during the period of use which are kept in repair and parked in the driveway or parallel to the side of a residence or in the back yard.

(3) The term "blighted structure" shall include, without limitation, any dwelling, garage, or outbuilding, or any factory, shop, store, office building, warehouse, or any other structure or part of a structure, which, because of fire, wind, other natural disaster, or physical deterioration, is no longer habitable as a dwelling, nor useful for the purpose for which it may have been intended.

(4) The term "building materials" shall include, without limitation, plywood, press board, siding of any type, lumber, brick, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete, cement, nails, screws or any other materials used in constructing any structure.

(5) The terms "trash" and "rubbish" shall include garbage, household waste and any and all forms of debris not herein otherwise classified.

(6) The term "owner" shall include all natural persons, firms, co-partnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee. All persons who violate any of the provisions of this ordinance, whether as owner, occupant, lessee, agent, servant, or employee, shall, be equally liable as principals.

SECTION 3. CAUSING, MAINTAINING PROHIBITED

It shall be unlawful for, any person to cause, permit, maintain, or allow creation or maintenance of blight or blighting factors within the limits of the Village of Roscommon.

SECTION 4. ILLUSTRATIVE ENUMERATION

The maintaining, using, placing, depositing, leaving or permitting to be let or remain on any public or private property of any of the following items, conditions or actions is hereby declared to be and constitute blight or blighting factors; provided, however, this enumeration shall not be deemed nor construed to be conclusive, limiting or restrictive:

(1) This section was deleted June 29, 2008.

(2) Storage upon any property of building materials unless there is in force a valid building permit issued by the Village for construction upon such property and the building materials are intended for use in connection with such construction. Exceptions to this section shall be:

a. Building materials stored within an enclosed structure.

b. Building materials that are the stock and trade of an established retail outlet for such material.

(3) Storage upon any property of junk vehicles unless stored in a completely enclosed building, or stored enclosed by a properly constructed wooden privacy fence at least 8 feet high but of such height as to completely obstruct view of the vehicles.

(4) Storage or accumulations of junk, trash, rubbish, or refuse of any kind, except domestic refuse stored in such a manner so as not to create a nuisance.

(5) Existence of any blighted structure.

(6) Existence of any vacant building, garage, or other outbuilding unless such buildings are kept securely locked, entrance doors kept serviceable, streetside windows glazed, other windows and doors can be neatly boarded or otherwise protected to prevent entrance by vandals, rodents, and vermin;

(7) Existence of any incomplete structure unless the structure is in the course of construction in accordance with a valid building permit issued by the Village and unless such construction is completed within a reasonable time.

(8) Existence of large amounts of lumber and/or timber. An accumulation of this type of material is allowed as a designated wood pile under the following conditions:

- a. Woodpile area to-be located within the back yard.
- b. Wood to be stacked orderly, with no random piles.
- c. Woodpile is to be maintained in such a manner so as not to allow harborage for rodents, snakes or other vermin. Woodpiles must be maintained so as not to endanger the safety of others or tend to depreciate the value of the property of others.

(9) Any condition which provides harborage for rats, mice, snakes, and other vermin.

SECTION 5. OUTDOOR MERCHANDISE

The outdoor or open storage of any salable material, equipment, or merchandise on any property, where such open storage is permitted, shall be placed, stored or stacked in such a manner that it is not dangerous to human life or otherwise hazardous to the general public safety or welfare. If such hazardous conditions exist, they are hereby deemed to be blight.

SECTION 6. ENFORCEMENT

Whenever a complaint is received and investigation reveals that a blight or potential blight condition exists within the Village, the Village Manager is charged with the enforcement of this ordinance. When any property is in violation of this ordinance, the enforcing officer, or his authorized representative, shall notify the owner, person in control, or occupant of such private premises to correct the violation within ten (10) days after being put on notice of said violation. Such notice shall be served in one of the following manners:

- a. By delivering the notice to the owner and/or person in control personally or by leaving the same at his residence, office, or place of business with some person of suitable age and discretion, or
- b. By mailing said notice by certified or registered mail to such owner and/or person in control at his last known address, or
- c. If the owner is unknown, by posting notice in some conspicuous place on premises at least ten (10) days before the act or action concerning which the notice is

given is required or is to occur.

If the owner, person in charge, or occupant of any premises notified to abate a nuisance resulting from a violation of the provisions of this Ordinance shall fail to abate the same, within the ten (10) days from being on notice of a violation, the enforcing officer, or his authorized representative, is hereby authorized to enter upon such private premises and abate said nuisance by correcting the violation. The cost of abating said of abating said nuisance plus an additional fifteen percent (15%) for overhead and other expenses shall constitute a lien against the private premises and shall be charged to the occupant or owner thereof, or to the owner of unoccupied premises, as the case may be. If not paid within sixty (60) days after the bill for such charges is rendered, such assessment against said premises in the manner provided by charter, or in any other manner authorized for collection of debts owned the Village.

Should the Village elect to remove or abate a nuisance in the manner aforesaid, said action, on the part of the Village, does not preclude enforcement of this Ordinance by the issuance of a municipal civil infraction.

Any person violating any provisions of this Ordinance shall be responsible for a civil infraction. The penalty for the first offense shall be \$50 and for the first repeat offense, \$150. Repeat offense shall be defined as a violation of said Ordinance which has been ticketed for within the past 30 days. For any second or subsequent repeat offense, the fine shall be no more than \$500. It shall be the duty of the Village Manager of the Village of Roscommon, or authorized representative, to enforce the provisions of this Ordinance. If, after investigation, the Village Manager, or authorized representative, determines that a violation of this Ordinance exists, he shall be authorized to issue a municipal civil infraction citation to any person, firm, or corporation that is responsible for violating the provisions of this ordinance. Service of said civil infraction citation or civil infraction notice shall be made in accordance with MCL 600.8707, Public Act 12 of 1994.

Permitting a violation of the Ordinance on private premises is hereby declared to constitute a nuisance per se. Upon application to any court of jurisdiction, the Court may order the nuisance abated and/or the violation restrained and enjoined. The enforcement of the Ordinance by abatement of any nuisance by the enforcing officer or by application to any court of competent jurisdiction for abatement by judicial decree or writ shall not preclude enforcement of the Ordinance by the issuance of a municipal civil infraction and the imposition of fine and costs. Complaint for violation of this Ordinance and the imposition of fine or imprisonment as herein provided.

SECTION 7. REPEALER

All ordinances or parts of ordinance in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 8. SEVERABILITY:

Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 9. EFFECTIVE DATE

This Ordinance shall become effective in the Village of Roscommon following adoption by the Village Council and two weeks after publication,

ADOPTED: April 10, 1997

PUBLISHED: April 20, 1997

EFFECTIVE: May 5, 1997

AMENDED: JUNE 29, 2008