

ORDINANCE NO. 5

AN ORDINANCE CONCERNING STREET REGULATIONS IN THE VILLAGE OF LAKEVIEW AND PENALTIES FOR THE VIOLATION THEREOF.

THE VILLAGE OF LAKEVIEW ORDAINS:

SECTION 1. For the purpose of this ordinance, the following words and phrases shall have the meaning herein ascribed to them:

I. "Person" shall include any person, persons, firm, association or corporation.

II. "Street, alley, or public highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purpose of vehicular travel.

III. "Dealer" shall include every person regularly engaged in the business of purchasing, selling, exchanging or dealing in goods, wares, merchandise, vehicles, farm implements or farm machinery.

IV. "Merchandise" shall include all goods, wares, vehicles, farm implements and farm machinery which are handled by a dealer in the ordinary course of his business.

SECTION 2. No person shall place upon or along any street, alley or public highway within the Village of Lakeview anything tending to obstruct the said street, alley or public highway or to constitute an encumbrance in any street, alley or public highway or tending to encroach upon any street, alley or public highway unless such a person shall obtain from the Village Council a permit in writing to do so. Application for said permit shall be made in writing to the Village Council and shall state the nature of the proposed obstruction, encumbrance or encroachment, the purpose of the same, the length of time during which same shall continue, and an agreement by the person making such application that after completion of the project, the street, alley or public highway will be returned to the same condition as to surface or otherwise as previously existed, and that such person will, at their own expense, maintain warning lights, barriers or other safeguards so long as the same are reasonably necessary and in accordance with the requirements of the Village Council in this regard. The Village Council shall, upon receipt of such application, issue to the applicant a permit in accordance with the application, provided the said Council be satisfied of the necessity for the same, and provided the applicant shall satisfy said Council by bond or otherwise of his financial ability to perform the agreements contained in the application. Such permit must be shown on the demand of the Village Marshal. If any such obstruction, encumbrance or encroachment shall be placed upon any street, alley or public highway without such permit, it shall be the duty of the Village Marshal to see that the same is immediately removed and that safeguards are put around the same pending removal; except that this section shall not apply to any work done under the direction of any duly authorized governmental body.

SECTION 3. No dealer shall maintain a stationary display of merchandise in or upon any street, alley or public highway within the Village of Lakeview. Any merchandise which has been placed in or upon any street, alley or public highway and remains there for more than two

consecutive hours between the hours of seven o'clock P.M., shall be deemed a stationary display of merchandise. Each unit of merchandise so placed contrary to the terms of this ordinance shall constitute a separate violation of this ordinance.

SECTION 4. No person shall use any street, alley or public highway within the Village of Lakeview for the purpose of any sport, amusement, the like without first obtaining the permission of the Village Council to do so. If such permission is obtained the minutes of the Council meeting shall so show and in addition, the dates, length of time and the exact variation if any of any section of this ordinance permitted shall be shown in the minutes of the Council meeting at which time such permission is granted.

SECTION 5. No person shall permit the running at large of any beasts or fowls, owned by them, in any street, alley or public highway within the Village of Lakeview.

SECTION 6. No person shall dump and rubbish in, upon or along any street, alley or public highway within the Village of Lakeview, except that when the Village Council shall by resolution provide for a rubbish collection be made, rubbish shall be placed upon, or along, the street in the manner and at the time so provided in such resolution.

SECTION 7. Any person or person who shall violate any of the provisions or requirements of this ordinance shall be punished for each violation 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 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 such court may order, and in case such court shall impose a fine and costs only, the person convicted upon 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 8. 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