

Ordinance No. 10. The Village of Luther ordains:

- Sec. 1. Before anyone shall start a fire in the Village for the purpose of burning trash, refuse or the like they shall first obtain a permit from the Luther Fire District #1.
- Sec. 2. Any person or persons starting a fire without obtaining said permit, and the Village Fire Department is called to answer a fire call to fight said fire, said person or persons shall be charged for the expense in connection with said unauthorized fire.
- Sec. 3. All authorized fires must not be closer than 50 feet of any combustible building, structure or material or in accordance with existing fire regulations.
- Sec. 4. In the event that said expenses are not paid, the person responsible for said unauthorized fire shall be subject to a penalty of not exceeding one hundred (\$100.00) dollars fine and cost and a jail term of not exceeding ninety days, or both, in the discretion of the justice.

Ordinance No. 11. The Village of Luther ordains:

- Sec. 1. No person shall place any building or obstruction of any kind on a public park or space.
- Sec. 2. No person shall take down, interfere with, disturb, or displace any rails, posts, boards, or any other public property within any public park or space.
- Sec. 3. No person shall peel, cut, deface, remove, impair, or destroy any trees in any public park or space.
- Sec. 4. No person shall pluck, break, trample upon, or interfere with any flower or shrub in any public park or space.
- Sec. 5. No person shall dig, remove, or carry away any turf, ground, sod, or earth in any public park or space.
- Sec. 6. No person shall place or deposit any dead carcass, ordure, filth, dirt, stones, or other matters or substances in any public park or space.

8

Sec. 8. Any violation of the provisions of this ordinance shall be punished by a fine not to exceed one hundred (\$100.00) dollars and cost of prosecution or, in default thereof, by imprisonment in the County jail not to exceed ninety days.

Ordinance No. 12. The Village of Luther ordains:

Sec. 1. It shall be unlawful for any landlord, owner, leasee, or other person exercising ownership of land to rent, grant, lease, or let any premises he owns or controls to any person or persons to be used for residence purposes unless the structure complies with the requirements set out under ordinance 14 and 15 following.

Sec. 2. Any violation of this ordinance or any of the provisions thereof, shall be punished by a fine not to exceed one hundred (\$100.00) dollars or imprisonment in the County jail not exceeding ninety days, or both such fine and imprisonment together with the cost of prosecution for each violation of this ordinance.

Ordinance No. 13. The Village of Luther ordains:

Sec. 1. It shall be unlawful to operate, construct, or start any junk yard or any automobile dismantling lot within the Village limits.

Sec. 2. Any violation of this ordinance or any of the provisions thereof, shall be punishable by a fine not to exceed one hundred (\$100.00) dollars or imprisonment in the County jail not exceeding ninety days, or both such fine and imprisonment together with the cost of prosecution for each violation of this ordinance.

Ordinance No. 14. The Village of Luther ordains:

Sec. 1. No mobile home which is more than five (5) years old shall hereafter be placed for occupancy within the Village. The age of a mobile home shall be determined according to the original title of the manufacturer.

Sec. 3. No mobile home shall contain less than Seven Hundred Twenty (720) square feet.

Sec. 4. (a) No mobile home shall be placed upon a lot which is less than 66 feet by 132 feet.

(b) No mobile home shall be placed within 15 feet of any street right-of-way nor within 6 feet of any lot line.

(c) There shall be no more than one mobile home per lot.

(d) There shall be no more than one septic system and one water well per lot and no more than one residence shall be connected to any such septic system. Water wells and septic systems must meet the requirements set forth by the Public Health Department.

(e) No mobile home shall be occupied unless it is connected to a septic system. Privies or other out-buildings for disposal of sewage are prohibited.

(f) No mobile home shall be placed except upon a permanent foundation which meets the requirements set forth by the County Building Department.

(g) No mobile home shall be occupied unless it is enclosed from the bottom of the walls to the ground.

(h) No mobile home shall be occupied until final inspection and approval by the Public Health Department and the issuance of a permit.

Sec. 5. The Village Board of Appeals shall be authorized to hear and decide upon an appeal, and grant a variance where consistent with the public interest; provided however, that the Board finds beyond a reasonable doubt that enforcement of the provision of this Ordinance would cause undue and unnecessary hardship, and that all of the following facts and conditions exist:

(1) Exceptional or extraordinary circumstances or conditions and

(2) Requirements of the applicable County Ordinances are

detriment to adjacent property owners and not objected to by adjacent property owners, and

(5) Placement of the mobile home would not materially impair the purposes of this ordinance.

Sec. 6. Mobile homes lawfully in place and occupied on the effective date of this ordinance shall be deemed non-conforming uses. The owners of any such mobile home shall apply for a permit in accordance with the requirements of Act 172, Public Acts of 1958, State of Michigan. Prior to the transport or placement of a mobile home within the Village, the owner shall obtain a permit. A registration fee of \$5.00 shall accompany the application. The permit, if issued, shall expire twelve months from the date issued. The annual renewal shall be \$5.00. The issuance of a permit shall not be deemed to authorize any non-compliance with any of the requirements of this Ordinance with respect to zoning, building, housing regulations, or health or sanitation requirements. Any permit granted hereunder shall be subject to revocation or suspension by the Village Council when a licensee fails to remove or abate a nuisance, insanitary, or objectionable condition. When the occupancy and use of any mobile home in place and occupied under these provisions is discontinued, the non-conforming use shall be abandoned and shall not be reinstated.

Sec. 7. Every person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than One Hundred (\$100.00) dollars and costs of prosecution, or by imprisonment for not more than ninety (90) days or by both fines and costs and imprisonment. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.

Sec. 8. In addition to the penalty applicable to a violation of this ordinance, any person parking, occupying or using any mobile home in violation of this ordinance, or in violation of any health or sanitary regulations, shall be guilty of maintaining a nuisance per

Ordinance No. 15. The Village of Luther ordains:

Sec.1. The BOCA Building Code, as amended, (1978 Edition) is hereby adopted as an ordinance in this Village by reference thereto, except Section 121. Sections 129 through 134 are hereby adopted in substitution and in addition thereto:

Section 129. Foundation. Any home, garage or storage building must have a permanent foundation such as continuous rock, block or cement, by County Code and BOCA National Code.

Section 130. Minimum Size. Any dwelling must not be less than seven hundred twenty (720) square feet in floor surface.

Section 131. Limitations.

- (a). There shall be no more than one family per lot.
- (b). No home shall be placed on a lot less than 66 by 132 feet and no garage shall be placed closer to a street right of way than the front of the home.
- (c). No home shall be placed closer than fifteen feet from any street right of way or within six feet of any lot line.
- (d). There shall be no more than one septic system and one water well per lot, and no more than one residence shall be connected to any such septic system. Water wells and septic tank systems must meet the requirements set forth by District #5 Public Health Department.
- (e). No home shall be occupied unless it is connected to a septic system. Privies or other out-buildings for disposal of sewage are prohibited.
- (f). All structures must comply with BOCA electrical and plumbing code regulations.

Section 132. Permits.

- (a). Permits shall be required for any construction, remodeling or additions to any residence, garage, storage building or driveway.
- (b). Upon application for a building permit, applicant shall furnish a blueprint or hand-drawn diagram of the dwelling to be

twelve (12) months from the date issued. The issuance of a permit shall not be deemed authorization of noncompliance with any of the requirements of this ordinance with respect to zoning, building, housing regulations, or health or sanitation requirements. Any permit granted hereunder shall be subject to revocation or suspension by the Village Council when a licensee fails to remove or abate a nuisance, an unsanitary condition or an objectionable condition.

Section 133. Variances. The Village Council shall be authorized to hear, decide and grant a variance from the provisions of this ordinance where exceptional and extraordinary hardship would result from the strict compliance with the terms of this ordinance.

Section 134. Penalties. Any person convicted of a violation of any provision of this ordinance shall be punished by a fine of not more than One Hundred (\$100.00) dollars and costs of prosecution, or by imprisonment for not more than ninety (90) days, or by both.

Section 135. Remedies.

(a) Any violation of this ordinance shall be deemed a nuisance per se and the Village Council or its agents, or any private citizen, may take action in any court of competent jurisdiction to cause abatement of such nuisance. This remedy is in addition to that set forth in Section 134 herein.

(b) Any person who wishes to report violations of this ordinance to the Luther Village Council or its agent charged with the enforcement of this ordinance, shall make such report in writing, signing his or her name to the same, including his or her address, and stating the nature of the violation.

Ordinance No. 16. The Village of Luther ordains:

Sec. 1. The Uniform Traffic Code for Michigan cities, Townships and Villages is hereby adopted as an ordinance in this Village. Complete copies of the Uniform Traffic Code are available at the office of the Village Clerk for inspection by...

These ordinances shall take effect on February 15, 1980.

Enacted by the Council of the Village of Luther, State of Michigan,
this 8th day of January, 1980.

THE VILLAGE OF LUTHER

By Joseph H. Hastings
Its President

ATTEST:

Louise Chopera

Village Clerk

CERTIFICATE OF POSTING

I HEREBY ATTEST and certify that the above is a true and accurate copy of the above Ordinance adopted by the Village Council of the Village of Luther on the above date, and that on the 11th day of January, 1980, at 11 o'clock in the 7th noon, true and accurate copies of the same were posted in three (3) of the most public place in the Village, to-wit:

- (1) Luther Brand Bank
- (2) Luther Post Office
- (3) Village Hall

DATED: 1-11-80

Louise Chopin

Village Clerk