

A PLACE FOR TODAY, TOMORROW, THE FUTURE.

Regular Meeting Agenda March 8, 2021 – 7:00 P.M.

1.Call to order	r, Roll Call of Council, Pledge of Allegiance, and Invocation	
2. Approval of	Consent Agenda:	Miller
•	Approval of minutes of the February 8, 2021 Regular Council Meeting	3
•	Approval of minutes of the February 22, 2021 DDA Meeting	
•	Accept of DPW Director's February Report	
•	Accept of Sheriff's Report for February 2021	
•	Accept the Building & Zoning Report for February 2021	
•	Approve the Bills to be paid	
3. Approval of	Regular Agenda	Miller
4. Manager's	Report	Alden
5. Public Ackn	owledgement on Agenda Items (Two minutes per speaker)	
6. Unfinished	Business	
•	2020 Audit Tr	ent Mulder
•	Agreement for Division Street Project	Cherven
7. New Busine	ess	
•	Council Rules & Procedures	Alden
•	Resolution to extend 2021 tax collection period through	
	September 14 th to March 1, 2022	Alden
•	TCF Bank CD Renewal	Alden
•	Hiawatha Amendment to the 2018-2022	
	Park, Recreation & Open Space Master Plan	Alden
8. Discussion I	tems	
•	Discharge of Firearms, Bows, and Crossbows within the Village Limits	Alden
•	Village FaceBook Page	Medina
•	Marijuana Ordinance	Miller
9. Public Ackn	owledgement (Two minutes per speaker)	
10. Council Co	mments	
11. Items for t	he Next Agenda	
12. Adjournm	ent	

VILLAGE OF ROSCOMMON

Minutes of the February 8, 2021
Regular Council Meeting

* VIRTUAL MEETING*

President Michael Miller called the Regular Meeting to order at 7:00 PM. Members of the Council present virtually: Michael Miller, Dan Fishel, Heather Roemer, Tony Medina, Angela Cook, Jared Osmond, and Maureen Ruddy. Others present virtually: Manager Ron Alden, and Clerk Frances Dawson, Lance Cherven, Tammy Menghini, Sue Jock. The Pledge of Allegiance was recited by all and an Invocation was given by Trustee Dan Fishel.

CONSENT AGENDA

Moved by Roemer, seconded by Ruddy to approve the Consent Agenda with the bills to be paid in the amount of \$70,702.12. Ayes: Ruddy, Fishel, Cook, Roemer, Medina, Miller, Osmond. Nays: None. The motion carried.

REGULAR AGENDA

Moved by Medina, seconded by Fishel, to approve the Regular Agenda with the addition of add face to face meetings under New Business. Ayes: Cook, Miller, Ruddy, Fishel, Roemer, Medina, Osmond. Nays: None. The motion carried.

MANAGER'S REPORT

Alden gave updates on:

A USDA update was given by Scott from Fleis & Vandenbrink. All easements are in and bids are out for beginning work on project.

Per Lance Cherven's instruction the Village has gone on a let run for their water until further notice. Do not shut the water off until the DPW directs it.

We have several households that are in arrears on the water/sewer bills and sent letters to them to set up payment plans.

801 Lake St. has been officially addressed with the apartment having a Fifth St. address. The DDA has given out 11 packets of info about the old store and will be having a meeting soon for potential buyers to present their ideas so that the DDA may make an informed decision on who to sell it to.

Alden gave all Council members a copy of a sample Firearms Ordinance to look over and take out the pertinent points to update our Ordinance.

Council to go over info and discuss at next meeting.

Discussed that March 31st the restrictions for penalties and shut offs on water/sewer bills will be lifted.

Audit has been done and went very well. The Auditor will be here in March to give everyone a full report on the Audit.

We will be having the surveyor update to survey for Gahagan agreement. Mr. Cavanagh is also going to be mapping out the new section for the Cemetery.

The challenge for the Roscommon County Township Supervisors have raised \$700.00 so far for the monthly Food Bank.

PUBLIC ACKNOWLEDEMENT ON REGULAR AGENDA ITEMS

The 801 Lake St is getting sold as one building, which includes the apartment.

UNFINISHED BUSINESS

Motion to adopt a Resolution to Repeal Ordinances #7, 13, 17, 35,39, & 74 and Ordinance #70 sections 10,11,&12 by Osmond, seconded by Cook. Ayes: Ruddy, Medina, Fishel, Cook, Osmond, Miller Roemer. Nays: none. Motion Carried.

NEW BUSINESS

Rob from Revise gave a presentation of the new Village of Roscommon Web site.

Motion to accept new DDA candidate Sue McFatridge by Roemer, seconded by Cook. Ayes: Fishel, Ruddy, Roemer, Cook, Medina, Miller, Osmond. Nays: none.

Motion by Medina to have face to face meetings with the option of virtual. No second so therefore no motion.

DISCUSSION ITEMS

Fishel asked if USDA will be replacing water meters and the answer was yes.

PUBLIC ACKNOWLEDGEMENT

None

COUNCIL COMMENTS

Medina states that communication is one of the most essential tools we have for success. Stated that he would like more/better communication between council, public, administration, etc...

Osmond states that with COVID still such an issue he understands virtual meetings.

ITEMS FOR THE NEXT AGENDA

Firearm Ordinance, Policy & Procedures for Council, update on light at M-18 & Lancewood, Council training, Walk way dedication on M-18.

ADJOURNMENT Moved by Roemer, seconded by Ruddy to adjourn the meeting at 8:12 PM. All in favor. Hearing no objections, the motion carried.			
Michael Miller	Frances Dawson		
Village President	Village Clerk		

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ROSCOMMON DOWNTOWN DEVELOPMENT AUTHORITY BOARD MINUTES February 22, 2021

Members Present by Video Conference (Due to Covid Mandate): CEO Ron Alden, President Thomas O'Brien (2), Vice President Jim Anderson (3), Treasurer Andrea Weiss (2), Secretary Sue Jock (3), Peggy Kish (Resident) (2), Tom Barber (1), Phil Weiler (1), Sue McFatridge, (NCACU), Mike Walker (1), Crystal Brabant (4)

Excused: Jessie Sharpe (4),
Absent: Diane Love Suvada (4)
DDA Meeting Called to order at 8:02

Others Present: None

No comments on the agenda

Motion by Phil Weiler to accept January minutes as presented, second by Ron Alden, motion approved.

(Thru 2/19/2021)	Treasurer's report
(I Nru 2/19/2021)	reasurer's report

Cash on Hand	\$269,656.37
Deposits	\$81,389.98
Interest 1/31/21	\$2.34
	\$351,048,69

Bills Approved Prior Month

Bills to be Approved

Ck #1162 Village of Roscommon (801 Lake St water bill)	\$40.86
Ck #1163 RARA-AuSable River Center	\$300.00
Ck #1164 Village of Roscommon-801 Lake St	\$3.60
Ck #1165 Village of Roscommon-Benches	\$4,000.00
Ending Balance	\$346,704.23

Motion by Ron Alden to support treasurer's report as presented, second by Jim Anderson, treasurer's report approved.

CORRESPONDENCE & PUBLIC COMMENT -

No public comments

MDA Annual Spring Workshop is virtual this year on Friday, March 26^{th,} 9 to 4.

COMMITTEE REPORTS

Managers' Report -

- 801 Lake Street: All utilities on. Small water leak possibly due to a plugged drain, water turned off and drained, small project to be remediated.
- Village is on a let run notice
- USDA all easements signed and bids are out. Have until March 8 to get bids in. Setbacks and delays will require the project schedule to be adjusted.
- DDA 2020 Audit out for review.

Façade Grants: NONE

<u>Sawmill-</u>General discussion in regards to position of Sawmill, Mike Walker to make contact with the Sawmill board to assess the future, and or dissolution of such and expenditure report.

<u>801 Lake Street</u> – Business packets completed and 11 have been sent or requested by potential candidates. Discussed the application process. Will request simple summaries that will be reviewed by a committee and presented at our next meeting.

Old Business:

- Website-Up and running, corrections currently being made.
- Mission Point Healthcare Service Walkway Franklin Bronze Plaques ordered for \$644 ready in about 4 weeks
- Veteran Thank You for Serving banners-two new ones total of 6, no further inquiries.
- ROXY- Ready Redevelopment Community-Meet this week Wednesday at 8am to finish up website. The RRC should be completed after this.
- 801 Lake Street anyone interested in further clean up. Volunteers requested: Phil Weiler, Sue McFatridge and Tom O'Brien volunteered.

New Business:

- Community Service Day, May 1, 2021 Dumpster, paper shredder truck, group effort/planning, collaborative social media campaign from the Village, DDA, RARA and Rotary.
- Snow removal tractor Contract with Higgins Lake Landscaping is up this year. Over the
 past 5 years we paid \$73,000 to HLL. Looking at inhouse management and expanding
 service. Currently looking at equipment from several companies. Equipment is
 \$100,000.00 and requesting to split cost with village. DDA cost \$50,000 up front that will
 cover our fee for the next 5 years. Purchase will be late summer. Ron Alden will send out
 more information for the next meeting.
- Seasons 801 Marketing, Open Building Event for Summer addition-to get information to the Resorter.
- AuSable River Center New pavilion discussed and utilized for Farmers Market, special events and programs.
- M-18 Walkway Solar Lighting to mount to existing Consumers poles. Waiting for more information and approval from Consumers.
- Empty Building Event Need date for event.
- Review Short and Long Term Projects list Please Review list and get back to Tom
 O'Brien with your comments and priorities in the next several weeks.

Liaison Reports:

Village: Cornhole tournament is March 6th rescheduled due to inclement weather. Ron Alden has had conversation with people interested in the following: Rosco's, 803 Lake

Street, the Boardwalk and Lions Club building.

Township - nothing

Chamber: Winterfest much smaller. 20 entries for fishing contest.

RARA:

Meeting Adjourned @ 9:03, motion by Andrea Weiss second by Phil Weiler, motion carried. Next DDA Meeting Monday, March 15th

DPW Report for March 2021 Council Meeting

Here are some of the key points I would like to take time to acknowledge.

- ➤ Update on Well #3: After we got the two-passing test, we wanted to pull one more just to be safe, that one came back positive. I contacted the engineers and had them send the Well company back to re-chlorinate the Well. We are now working on getting it flushed and resampled.
- ➤ On February 3, 2021 we had to pull PFAS samples on our Wells, with Well 3 being down we were only able to test Wells 2&4. Both came back with a non-detect for PFAS, this is great news for us.
- > With the frozen ground and the constant thaw and freeze we need to continue to run the water until further notice.
- ➤ USDA project is out for bid and we will be opening bids March 8th and 9th. The project is broke out into water and sewer that's the reason for 2 dates. It seems to be getting a lot of attention from contractors.
- We have been staying busy with flushing out some of the sewer mains, moving snow to help with drainage as it melts, and we have been rolling the piles at the compost.
- ➤ On top of everything that is going to happen with the USDA project we are also doing an MDOT Federal aid street project. The project is for Division St, starts at George St and goes down the Robinson Creek. This project is expected to begin June 1st.

As always feel free to contact me with question or concerns.

Thank You Kindly,

Lance Cherven

DPW Director

Village Patrol		Feb-21	The state of the s
			\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
Mileage	=	322	
Hours	=	59	<u></u>
Stops	=	7	
VW	=	9	
Citations	=	1	
Criminal	=	5	
Non Criminal	=	6	
Report Writing	1	9	
Accidents	=	2	
Arrests	=	2	
Contacts	=	77	
Prop. Check	=	68	
Liquor Inspec	 tions=	11	

Activity Report to Village of Roscommon Village Patrol Paid Hours

<u>Details</u>

ARRESTS

Warrant

Domestic

Complaints

- D- MISSING PERSON/ HANNAH ST (LOCATED)
- P- WARRANT ARREST/ COURTHOUSE PARKING LOT
- D- DOMESTIC/ PINECREST
- D- PDA/ FAMILY FARE
- P- ANIMAL COMPLAINT/ GEORGE ST (TOT ANIMAL CONTROL)
- D- BARKING DOG/ TERRACE DR
- D- ARGUMENT/ SHERIFFS LOBBY

Feb-21 Additional Village Activity

Hours	7
Criminal Complaints	
Non Criminal Complaints	5
Traffic Stops	3
Verbal Warnings	4
Citations	
OWI Arrests	
Other Arrests	
Accidents	1
Assist EMS	
Other Assignments	

Type of Complaints Handled

Arrests

- D- SNOWMOBILE ON SIDEWALK/ BOB'S BUTCHER SHOP
- D- CIVIL MATTER/ PINECREST
- D- DISTURBANCE COMPLAINT/ HILLTOP APTS
- D- ASSAULT COMPLAINT/ HILLTOP APTS
- D- GEN NON CRIMINAL/ LEAR
- D- CAR-DEER/ LAKE- WALLACE PARK

702 Eake Street • P.O. Box 236 • Roscommon, Michigan 48653 Jelephone (989) 275-5743 • Fax (989) 275-5998

March 3, 2021

BUILDING AND ZONING REPORT FOR THE MONTH OF February 2021.

2/2/2021: Review construction for 1107 St. Helen St.

2/8/2021: Working on building permit forms to put on-line.

2/17/2021: Issue permit for 110 S. 7th St.

2/23/2021: Review sign permit for 403 N. 5th St.

Respectfully Submitted,

James R. Lett

Building Official and Zoning Administrator

AGREEMENT FOR ROAD IMPROVEMENT

Village of Roscommon

This agreement, made and entered into between the Village of Roscommon, Roscommon County, Michigan, referred to herein as "Village" and the Roscommon County Road Commission, referred to herein as "Road Commission", whereby it is agreed that:

WHEREAS, the Village desires to contract with the Road Commission for engineering services.

IT IS NOW THEREFORE AGREED that the Road Commission will accomplish the following: The total engineering will not exceed \$21,000.

WHEREAS IT IS AGREED that the Road Commission shall complete the engineering for the road construction phase of the Division Street project for the estimated sum of \$21,000 and

IT IS FURTHER AGREED, that as the project begins, Road Commission will bill the Village 25% of the estimated agreement amount. Thereafter, the Village will receive monthly progress billings until all work has been completed and the charges assessed. At the time the total project costs are in, the Village will be sent a final bill. Should the actual costs exceed the amount shown on this Agreement, Village shall pay 100% of the overrun.

The undersigned officers hereby certify that at a meeting of the Village of Roscommon they were authorized to enter into this agreement with the Roscommon County Road Commission and that their share of the funds are available.

Village of Roscommon :		Date:	
	President		Witness
	Vice Pres		Witness
ROSCOMMON COUNTY ROA	D COMMISSION:	Date:	
	Chair		Witness
	Vice-Chair		Witness

Village of Roscommon Council Rules and Procedures

A. REGULAR AND SPECIAL MEETINGS

All meetings of the village council will be held in compliance with state statutes, including the Open Meetings Act, 1976 PA 267 as amended, General Law Village Act, 1895 PA 3 as amended and with these rules.

1. Regular Meetings

Regular meetings of the Village Council will be held on the second Monday of each month beginning at 7:00 p.m. at the Village Hall unless otherwise rescheduled by resolution of the council. Council meetings shall conclude no later than 10:00 p.m., subject to extension by the council.

2. Special Meetings

A special meeting shall be called by the Clerk upon the written request of the Village President or any three members of the council on at least 24 hours' notice by the Clerk to each member of the council by phone or electronic mail. Special meeting notices shall state the purpose of the meeting. No official action shall be transacted at any special meeting of the council unless the item has been stated in the notice of such meeting.

3. Minutes of Regular and Special Meetings

The Clerk shall attend the council meetings and record all the proceedings and resolutions of the council in accordance with Section 64.5 of the General Law Village Act of 1895 as amended and the Open Meetings Act. In the absence of the Clerk, the council may appoint one of its own members or another person to temporarily perform the Clerk's duties.

Within 15 days of a council meeting a synopsis showing the substance of each separate decision of the council or the entirety of the council proceedings shall be prepared by the Clerk and shall indicate the vote of the council members.

A copy of the minutes of each regular or special council meeting shall be available for public inspection at the village offices during regular business hours.

4. Study Sessions

Upon the call of the Village President or the council and with appropriate notice to the council members and to the public, the council may convene a work session devoted exclusively to the exchange of information relating to municipal affairs. No votes shall be taken on any matters under discussion nor shall any council member enter into a formal commitment with another member regarding a vote to be taken subsequently.

B. CONDUCT OF MEETINGS

1. Meetings to be Public

All regular and special meetings of the Village Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the council may determine, except that the meetings may be closed to the public and the media in accordance with the Open Meetings Act.

All official meetings of the council and its committees shall be open to the media, freely subject to recording by radio, television and photographic services at any time provided that such arrangements do not interfere with the orderly conduct of the meetings.

2. Agenda Preparation

An agenda for each regular council meeting shall be prepared by the Village Manager with the following order of business:

- Call to order and roll call of Council, Pledge of Allegiance to the Flag of the United States of America, Invocation
- b. Public hearings (as appropriate)
- c. Approval of consent agenda
- d. Approval of regular agenda
- e. Brief public comment on agenda items
- f. Report from village manager (incl. DPW and other staff reports)
- g. Unfinished business
- h. New business
- Public acknowledgement
- j. Council Comments
- k. Agenda items for next meeting
- Adjournment

Any council member may submit items to add to the regular agenda before it is approved except for section D, item 6. Items must be submitted to the Manager no later than noon on the Thursday prior to the meeting.

3. Consent Agenda

The Village may use a consent agenda to allow the council to act on numerous administrative or non-controversial items at one time. Included on this agenda can be non-controversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, liquor control reports, financial statements, law enforcement reports, minutes of last meeting, etc. Upon request by any member of the council, an item may be removed from the consent agenda and placed on the regular agenda for discussion.

4. Quorum

A majority of the entire elected or appointed and sworn members of the council shall constitute a quorum for the transaction of business at all council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later time or date with appropriate public notice.

5. Attendance at Council Meetings

Election to the Village Council is a privilege freely sought by the nominee. It carries with it the responsibility to participate in council activities and represent the residents of the Village. Attendance at council meetings is critical to fulfilling this responsibility. The Village Council is empowered by Section 65.5 of the General Law Village Act as amended to adjourn a meeting if a quorum is not present and compel attendance in a manner prescribed by its ordinance.

The council may excuse absences for cause. If a council member has more than three unexcused successive absences for regular or special council meetings, the council may enact a resolution of reprimand. In the event that the member's absences continue for more than three additional successive regular or special meetings of the council, the council may enact a resolution of censure or request the council member's resignation or both.

6. Presiding Officer

The Village President is the presiding officer and shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The Village Council shall appoint one of its members President Pro Tem, who shall preside in the absence of the President. In the absence of both the President and the President Pro Tem, the member present who has the longest consecutive service on the council shall preside.

7. Disorderly Conduct

The President may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the chair determines whether the person is in order.

If the person so engaged in presentation is called out of order, he or she shall not be permitted to continue to speak at the same meeting except by special leave of the council. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the person removed from the meeting. No person shall be removed from a public meeting

except for an actual breach of the peace committed at the meeting.

C. CLOSED MEETINGS

1. Purpose

Closed meetings may be held only for the reasons authorized in the Open Meetings Act, which are the following:

- a. To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent when the named person requests a closed meeting.
- b. For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.
- c. To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
- d. To consult with the village attorney or another attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting would have a detrimental financial effect on the litigating or settlement position of the council.
- e. To review the specific contents of an application for employment or appointment to a public office when a candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting.
- f. To consider material exempt from discussion or disclosure by state or federal statute.

2. Calling Closed Meetings

At a regular or special meeting, the council members, elected or appointed and serving, by a majority roll call vote may call a closed session. The roll call vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

3. Minutes of Closed Meetings

The Clerk or the designated secretary of the council shall take a separate set of minutes at the closed session. These minutes will be retained by the Clerk, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Michigan Open Meetings Act. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved.

D. DISCUSSION AND VOTING

1. Rules of Procedure

Any member of the Council may bring an item to the floor for discussion. It shall be the responsibility of the chair to moderate the discussion.

2. Conduct of Discussion

During the council discussion and debate, no member shall speak until recognized for that purpose by the chair. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone and avoid interjecting a personal note into debate.

No member shall speak more than once on the same question unless every member desiring to speak to that question shall have had the opportunity to do so.

A motion may be made by any member of the Council. Once a motion is made, the chair will ask if there is a second for the motion on the floor. Upon hearing a second for a motion by a member other than the maker of the motion, the chair may entertain further discussion leading to a vote on the issue. If there is no second for a motion, the chair may reopen the issue for discussion, or set the issue aside.

3. Ordinances and Resolutions

No ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code or an ordinance adopting a code of ordinances, shall relate to more than one subject, and that subject shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes.

4. Roll Call

In all roll call votes, the names of the members of the council shall be called in rotating order.

5. Duty to Vote

Election to a deliberative body carries with it the obligation to vote. Council members present at a council meeting shall vote on every matter before the body, unless otherwise excused or prohibited from voting by law.

Conflict of interest, as defined by law, shall be the sole reason for a member to abstain from voting. The opinion of the village attorney shall be binding on the council with respect to the existence of a conflict of interest. A vote may be tabled, if necessary, to obtain the opinion of the village attorney.

The right to vote is limited to the members of council present at the time the vote is taken.

Voting by proxy or by telephone is not permitted.

6. Results of Voting

In all cases where a vote is taken, the Clerk shall declare the result.

Any council member who voted in the majority on any motion may move for a reconsideration of the motion at that meeting or at the next succeeding meeting of the council. When a motion to reconsider fails, it cannot be renewed.

E. CITIZEN PARTICIPATION

1. General

Each regular council meeting agenda shall provide for reserved time for audience participation.

If requested by a member of the council, the presiding officer shall have discretion to allow a member of the audience to speak at times other than reserved time for audience participation.

2. Length of Public Comment

Any person who addresses the Village Council during public comment or a public hearing shall be limited to 2-minutes in length per individual. The Clerk will maintain the official time and notify the speakers when their time is up.

3. Addressing the Council

When a person addresses the Village Council, he or she shall approach the podium. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak. Simple yes or no questions *may* be answered by council, but detailed questions and/or debate during public comment will not be entertained.

F. MISCELLANEOUS

1. Adoption and Amendment of Rules of Procedure

These rules of procedure of the Village Council will be placed on the agenda of the first meeting of the council following the seating of the newly elected council members for review and adoption. A copy of the rules adopted shall be distributed to each council member.

The council may alter or amend its rules at any time by a vote of a majority of its members after notice has been given of the proposed alteration or amendment.

2. Suspension or Amendment of Rules

The rules of the Village Council may be suspended for a specified portion of a meeting by an affirmative vote of two-thirds of the members serving except that council actions shall conform to state statutes and to the Michigan and the United States Constitution.

3. Bid Awards

The Village Council during regular or special meetings will award bids. A bid award may be made at a special meeting of council if that action is announced in the notice of the special meeting.

4. Committees

Special committees may be established for a specific period of time by the Village Manager or by a resolution of the council which specifies the task of the special committee and the date of its dissolution.

Citizen task forces may be established by a resolution of the council, which specifies the task to be accomplished, and the date of its dissolution. Members of such committees will be appointed by the Village Manager subject to approval by a majority vote of the Village Council and must be taxpayers of the Village. Vacancies will be filled by majority vote of the Village Council in the same way appointments are made.

5. Authorization for Contacting the Village Attorney

The following village officials (by title) are authorized to contact the village attorney regarding village matters:

Village Manager Village Clerk Village President

Date adopted:	10/25/01
Amended:	04/08/02
Amended:	02/08/10
Amended:	12/10/12
Amended:	03/24/14
Amended:	02/09/15
Amended:	12/12/16
Amended:	08/14/17



A PLACE FOR TODAY, TOMORROW, THE FUTURE.

THE GENERAL LAW VILLAGE ACT (EXCERPT) Act 3 of 1895

69.18 Taxes as lien against property; interest; fees and charges; taxes returned delinquent; resolution; tax bill or enclosure to specify where delinquent taxes to be paid; adding fees and interest to taxes; return of unpaid taxes on real property to county treasurer; collection; rate of interest and fees; delinquent taxes as lien; return to department of treasury.

Sec. 18 (2) Taxes collected by the village shall be returned delinquent to the county treasurer on September 15 unless the governing body of the village by resolution adopted on or before June 1 of each year determines that the village taxes shall be returned to the county treasurer on the same date that county taxes are returned delinquent for collection. The resolution shall be forwarded to the county treasurer before July 1 each year. The village tax bill for each year or a separate enclosure with the tax bill shall specify where such delinquent taxes are to be paid.

I	make a motion to accept the resolution that the village treasurer be
allowed to collect village taxes	



Activity - Deposit Accounts

Report created:

03/08/2021 08:57:14 AM (ET)

Account:

072410013 • *2012 • Certificate of Deposit • 12 MONTH REG CD

Date range: Transaction types: Selected transactions

2/23/2021 to 3/8/2021

Detail option:

Includes transaction detail

072410013 • *2012 • Certificate of Deposit • 12 MONTH REG CD

Post Date	Reference	Additional Reference	Description	Debit	Credit	Calculated Balance
03/03/2021		1	INTEREST CREDIT		\$725.10	\$580,801.13
03/08/2021	Totals			\$0.00	\$725.10	



Additional Account Information

Report created:

03/08/2021 08:58 AM (ET)

Current as of:

03/08/2021

Neg13-24 Mth CD 100K - Certificate of Deposit - *7658

Time deposit ID:

*1

Account type:

Certificate of Deposit

Status:

Open

Issue date: Original balance: 03/04/2014 \$556,770.46

Current balance: Interest rate: \$577,520.76 0.15% \$218.27

YTD interest: Interest paid last year: Maturity date:

\$6,877.84 04/04/2021

VILLAGE OF ROSCOMMON ORDINANCE NO. 35 FIREARMS AND EXPLOSIVES ORDINANCE

THE VILLAGE OF ROSCOMMON ORDAINS:

An ordinance prohibiting the use of firearms and explosives within the incorporated limits of the Village of Roscommon.

SECTION 1.

Any person who shall fire or cause to be fired any firearm, including handguns, pistols, rifles, shotguns, automatic weapons; or set off or cause to be set off, any explosive substances, or devices of any type including but not limited to gunpowder, dynamite, bombs; within the incorporated limits of the Village of Roscommon shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than 30 days or and by a fine of not more than one hundred (\$100.00) dollars.

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

Amended 1-13-14

Chapter 32

DISCHARGE OF FIREARMS, BOWS, AND CROSSBOWS WITHIN THE VILLAGE LIMITS

§ 32-1. Purpose and intent.

§ 32-4. Exceptions.

§ 32-2. Definitions.

§ 32-5. Penalties.

§ 32-3. Discharge of certain weapons.

[HISTORY: Adopted by the Village Council of the Village of Bellaire 6-1-2005 by Ord. No. 3-2005; amended 11-1-2017 by Ord. No. 4 of 2017]

32-1. Purpose and intent.

This Chapter is adopted so that the Village Council of Bellaire may promote the public health, safety, and general welfare within the Village through the regulation of the discharge of air guns, firearms, zip guns, bows, crossbows, and similar devices. By prohibiting the discharge of firearms and zip guns, and by restricting the discharge of air guns, bows and crossbows, the Bellaire Village Council seeks to prevent bodily injury, death, property damage, and other nuisances within the Village limits. [Amended 11-1-2017 by Ord. No. 4 of 2017]

32-2. Definitions.

General: Words and phrases in this Chapter shall have meanings set forth in this section. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only, and shall not be used in the interpretation of this Chapter.

Specific:

- (1) Air Gun: means any implement, designed as a gun, that will expel a BB or pellet by spring, gas, or air. Air gun includes a paintball gun that expels by pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact. [Amended 11-1-2017 by Ord. No. 4 of 2017]
- (1A) Air Gun Permit: means the permit issued by the Bellaire Police Chief under §32-4A.C of the Bellaire Village Code. [Added 11-1-2017 by Ord. No. 4 of 2017]

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- Bow: means a flexible strip of wood or other material, bent by a string stretched between its ends, capable of propelling an arrow.
- (3) Crossbow: means a weapon capable of propelling an arrow consisting of a bow fixed transversely on a stock, the string of which is released by a trigger mechanism.
- (4) Firearm: means any device designed, made, or adapted to expel a projectile through a barrel by using the energy or force generated by an explosion or burning substance or any device readily convertible to that use. The term "firearm" includes but is not limited to guns, handguns, machine guns, rifles, shotguns, automatic rifles, revolvers, and pistols.
- (5) Person: means any human individual or corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership, association, and any other legal entity.
- (5A) Pest Animal: means either of the following:

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- (a) A red squirrel, opossum, chipmunk, rat, porcupine, or raccoon, but only when that animal is causing physical damage on property, or
- (b) A skunk, regardless of whether it is causing physical damage on property. [Added 11-1-2017 by Ord. No. 4 of 2017]
- (6) Public Place: means any place to which the public or a substantial group of the public has access and includes, but is not limited to, parks, streets, highways, and the common areas of schools, hospitals, apartments, office buildings, transport facilities, and shops.
- (7) Public Right-of-Way: means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest.
- (8) Target: means an inanimate object capable of safely absorbing an arrow discharged or shot from a bow or crossbow without allowing the arrow to pass completely through the object.
- (9) Village: means the municipality of the Village of Bellaire, located in Antrim County, Michigan, its agents and assigns.

- (10) Village Limits: means the incorporated municipal boundaries of the Village of Bellaire.
- (11) Zip Gun: means a device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance.

32-3. Discharge of certain weapons.

- A. No person shall discharge, fire or shoot any firearm within the village limits.
- B. Except as authorized by an air gun permit issued under § 32-4A.C of the Bellaire Village Code, no person shall discharge, fire or shoot any air gun or zip gun within the Village limits. [Amended 11-1-2017 by Ord. No. 4 of 2017]
- C. No person shall discharge or shoot any bow or crossbow in any public place, on or across any public right-of-way or onto the property of any other person within the village limits.
- D. No person shall discharge or shoot any bow or cross bow on private property within the village limits, except at a target as defined in this Chapter and when such discharging or shooting can be done without violating subsection C above.

32-4. Exceptions. [Amended 9-19-07 by Ord. No. 8-2007]

Section 32-3 of this Chapter shall not apply to:

- A. Licensed law enforcement officers, provided that such discharges are made in the course and scope of the law enforcement officer's official duties.
- B. The use of blank cartridges for a theatrical production, a military ceremony, or a sporting event that will be supervised by the Bellaire Police Department or other approved law enforcement agency.
- C. Duly designated animal control officers destroying sick, injured, or predatory animals on public or private property.
- D. The Bellaire Conservation Club's indoor shooting facility located at 4770 Stover Road.
- E. A person in the lawful exercise of self-defense or the defense of others.

§32-4A. Air gun permit. [Added 11-1-2017 by Ord. No. 4 of 2017]

- A. Purpose. The purpose of this Section is to allow the limited use of an air gun within the Village limits to eliminate pest animals, as defined in this Chapter, and to regulate such use to prevent bodily injury and property damage within the Village limits.
- B. Application. A person seeking an air gun permit under this Section shall submit a complete application to the Bellaire Police Chief and pay the required fee, which shall be determined from time to time by resolution of the Village Council. The application shall include all of the following listed information and all information reasonably necessary for the Police Chief to determine whether the applicable standards for approval provided in subsection D below have been met.
 - (1) A written statement specifying the physical damage on the applicant's property, if applicable, and identifying the pest animal(s) causing the damage. If the applicant is seeking an air gun permit to eliminate a pest animal(s) on the property of another person, then the application shall include a written statement from the owner or occupant of that other property consenting to the issuance of the air gun permit.
 - (2) A written statement signed by the applicant authorizing the Police Chief to run a Confidential Criminal History on the applicant through the Michigan State Police LEIN system and to access any other record needed to verify that the applicant is eligible to receive an air gun permit, or be granted an extension of that permit, under the approval standards in subsection D below.

C. Issuance of Permit; Duration; Renewal.

- (1) The Police Chief shall issue an air gun permit to the applicant when the Police Chief verifies that the applicant is eligible to receive that permit as specified in the approval standards within subsection D below. All air gun permits shall specify the pest animal(s), as defined in the Chapter, authorized to be eliminated under the permit.
- (2) An air gun permit issued under this subsection shall be valid for a period of sixty (60) days, but may be extended as provided under subsection (3) below.

- (3) The holder of an air gun permit may obtain one (1) extension of the air gun permit for an additional thirty (30) day period upon filing a written request for such an extension with the Police Chief prior to the expiration of the original permit. The Police Chief shall issue the requested extension, unless the Police Chief determines that the holder of the air gun permit is no longer eligible to receive an air gun permit as specified in the approval standards within subsection D below.
- D. Approval Standards. An applicant for an air gun permit is eligible to receive an air gun permit, or obtain an extension of that permit, when all of the following standards are met:

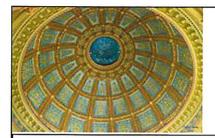
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- (1) A pest animal(s), as defined in this Chapter, is causing physical damage on applicant's property or on the property of another person, or the pest animal to be eliminated is a skunk.
- (2) The applicant has not been convicted of any felony or any other crime where the maximum possible incarceration is more than one year.
- (3) The applicant is not prohibited from possessing or using a firearm under Section 224f of the Michigan Penal Code, MCL 750.224f.
- (4) The applicant has not been convicted of any misdemeanor assaultive crimes, including domestic violence, in the past eight (8) years.
- (5) The applicant has not been convicted of any misdemeanor crimes involving the destruction of personal or real property in the past eight (8) years.
- (6) The applicant has not been convicted of any misdemeanor crimes involving the reckless, careless, or negligent use of a firearm in the past eight (8) years.
- (7) The applicant has not been convicted of any misdemeanor crimes involving the possession of a controlled substance in the past eight (8) years.
 - (8) The applicant has not been convicted of any misdemeanor crimes involving the operation of a motor vehicle under the influence of alcohol or drugs in the past three (3) years.

- (9) The applicant is not currently and has not been restrained by a personal protection order (PPO) in the past three (3) years.
- (10) The applicant is not currently and has never been subject to an order of involuntary commitment in an inpatient or outpatient setting due to mental illness.
- (11) The applicant does not have a diagnosis of mental illness that includes an assessment that the individual presents a danger to himself or herself or to another at the time the application is made, regardless of whether he or she is receiving treatment for that illness.
- E. Regulations. The holder of an air gun permit shall not:
 - (1) Discharge an air gun within the Village limits without a valid air gun permit being in effect at the time of the discharge.
 - (2) Discharge an air gun within the Village limits in violation of the terms of the air gun permit in effect at the time of the discharge.
 - (3) Discharge an air gun within the Village limits on or across any public right-of-way or onto the property of any other person.

32-5. Penalties.

- A. Misdemeanor; penalties. Any person who knowingly violates Section 32-3.A or Section 32-3.C of this Chapter shall be guilty of a misdemeanor punishable by a fine of not more than \$500.00 and/or by imprisonment in the county jail for not more than ninety days.
- B. Municipal Civil Infractions; penalties. Any person who violates Section 32-3.B, Section 32-3.D, and Section 32-4A.E of this Chapter shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being sections 600.101-600.9939 of Michigan Compiled Laws and shall be subject to a fine of not more than \$500.00.
 - C. Enforcement Officials. Officers of the Bellaire Police Department, and other village officials designated by resolution of the village council, are hereby authorized to issue municipal civil infraction citations under this Chapter directing offenders to appear in court.



MICHIGAN LEGISLATURE

Michigan Compiled Laws Complete Through PA 310 of 2020 House: Adjourned until Tuesday, February 23, 2021 1:30:00 PM Senate: Adjourned until Tuesday, February 23, 2021 10:00:00 AM

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MCL Chapter Index
Chapter 750

Act 328 of 1931

△ 328-1931-XXXVII



Section 750.234e

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THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931

750.234e Brandishing firearm in public; applicability; violation as misdemeanor; penalty.

Sec. 234e.

- (1) Except as provided in subsection (2), a person shall not willfully and knowingly brandish a firearm in public.
 - (2) Subsection (1) does not apply to either of the following:
 - (a) A peace officer lawfully performing his or her duties as a peace officer.
- (b) A person lawfully acting in self-defense or defense of another under the self-defense act, 2006 PA 309, MCL 780.971 to 780.974.
- (3) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days, or a fine of not more than \$100.00, or both.

History: Add. 1990, Act 321, Eff. Mar. 28, 1991 ;-- Am. 2015, Act 27, Eff. Aug. 10, 2015

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Section 750.234e

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WEAPONS OFFENSES

§ 130.25 DEFINITION.

For the purpose of this subchapter the following definition shall apply unless the context clearly indicates or requires a different meaning.

FIREARM: Any weapon or device from which is propelled any missile, projectile, bullet, shot, pellet or other mass, by means of explosives, compressed air or gas or by means of springs, levers or other mechanical device which weapon or device shall be capable by the discharge of any such propelled missile, projectile, bullet, shot, pellet or other mass, of inflicting personal injury or death upon any person, or damage to another's property.

(Ord. 180, passed 1-6-86)

§ 130.26 CARRYING, USING AND DISCHARGING OF WEAPONS.

- (A) No person shall carry any firearm upon his person in any public street, alley or other place open to the public in the City unless:
- (1) The person has been issued a valid license to do so as provided by Act 372 of Michigan Public Acts of 1927, as amended (M.C.L.A. §§ 28.91 et seq.); or
- (2) All ammunition has been removed from the chamber cylinder, clip or magazine of the firearm and the firearm has been noticeably rendered inoperable by being broken down or disassembled or is completely enclosed within a case or other similar container.
- (B) No person shall discharge any firearm in the City, and no person shall draw, handle or flourish any firearm in any public street, alley or other place open to the public in the City. (Ord. 180, passed 1-6-86) Penalty, see § 130.99

§ 130.27 EXCEPTIONS.

The prohibitions in this subchapter shall not apply to the following situations:

- (A) To persons acting in the lawful defense of person, property or family.
- (B) To police officers or other officers of the law in the lawful discharge of their duty.
- (C) When a firearm is being shown or otherwise handled in the regular course of merchandising or is being carried from the building immediately after purchase of that firearm within the building, or the firearm is carried into the building for repair of that firearm.
- (D) To authorized military parades by permission of the City Council.
- (E) To indoor enclosed firearm ranges so constructed as to prevent damages to property or injury or death to any person where such firearm ranges are otherwise lawful. However, the discharge of a bow and arrow is permitted upon unenclosed ranges, where such ranges are constructed so as to



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prevent damage to property or injury or death to any person.

(F) To persons who have obtained a permit from the city police for the control of pests, (birds or animals) that are causing property damage or creating a health hazard or a general nuisance. However, when any wild birds or animals are classified as protected game birds or animals by the Department of Natural Resources of Michigan, permission to destroy them shall first have been obtained from that Department and after the protected wild bird or animal has been killed, it shall be disposed of as directed by the Department. (Ord. 180, passed 1-6-86)

§ 130.28 ISSUANCE OF PERMITS; CONDITIONS.

No person shall be issued a permit unless he shall be 18 years of age, and comply with the following:

- (A) On the permit request, the following information shall be supplied:
- (1) Name, address and age.
- (2) Affiliations, if any.
- (3) Type of pest to be controlled.
- (4) Method of control.
- (5) Period of time required for pest control.
- (B) All requests for permits shall be reviewed and signed by the Chief of Police, only after he is satisfied that the procedure to be used to eliminate the pests is safe from damage or injury to any person or persons residing in the City. (Ord. 180, passed 1-6-86)

§ 130.99 PENALTY.

- (A) A violation of §130.02 and §130.03 is a Municipal Civil Infraction, pursuant to §10.99 of the City of West Branch Code of Ordinances. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.
- (B) Any person who shall, within the corporate limits of the City, commit any of the acts listed in §130.01, §§130.04 through 130.14, and §§130.26 through 130.28 shall be guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine not to exceed \$500 plus reimbursement for costs of prosecution.

(Ord. 55, passed 9-20-43; Am. Ord. 203, passed 6-19-90; Am. Ord. 01-04, passed 6-18-01)

ARTICLE VI. OFFENSES AGAINST PUBLIC SAFETY

Sec. 24-125. Discharge of firearms prohibited; exceptions.

No person shall discharge any firearm or air gun except by written permission of a police officer of said city.

(Ord. No. 4, art. I, § 1(d), 7-14-1947)

State law reference—Discharge of weapons, MCL 750.234 et seq.

Sec. 24-126. Fireworks.

No person shall explode any fireworks or firecrackers except by written permission of the city council. (Ord. No. 4, art. I, § 1(e), 7-14-1947)

State law reference—Fireworks, MCL 750.243a et seq.

Secs. 24-127—24-150. Reserved.

ARTICLE VII. OFFENSES AGAINST PUBLIC MORALS

Sec. 24-151. Indecent or obscene conduct.

No person shall engage in any indecent or obscene conduct in any street, alley or other public place. (Ord. No. 4, art. I, § 1(c), 7-14-1947)

State law reference—Similar provisions, MCL 750.167(1)(f).

Sec. 24-152. Accost or entice for mischief.

No person shall accost any person for illegal purposes or endeavor to entice any person into an automobile or other vehicle for illegal purposes.

(Ord. No. 4, art. I, § 1(o), 7-14-1947)

State law reference—Soliciting or accosting, MCL 750.448.

Sec. 24-153. Prostitution.

- (a) No person shall engage in prostitution in the city.
- (b) No person shall consort in a house of prostitution or place where prostitution or lewdness is practiced, encouraged or allowed.
- (c) No person shall harbor or keep in or about his premises any prostitute or permit any prostitution therein.

(Ord. No. 4, art. II, 7-14-1947)

State law reference-Prostitution generally, MCL 750.448 et seq.

20.276 Sec. 4103.36. WEAPONS.

No person shall discharge any weapon within the City of Gaylord except in

connection with any training program approved by the City Council, or in connection with the performance of lawful duties of law enforcement, or as specifically provided by law in the protection of persons and property.

20.277 Sec. 4103.37. WEAPON; POSSESSION.

Have or display any weapon in his possession in any public place, with the following exceptions:

- A law enforcement officer of any governmental unit may have a weapon in his possession as provided by law.
- B. A person may have a weapon in his possession for purposes of his actual participation in any training program approved by the City Council.
- C. An established dealer in weapons or repairman of weapons may have weapons in his possession in his place of business for purposes of making lawful sale or repair of said weapons.
- D. The proprietor of a place of business, or his duly authorized agent, may have a weapon in his possession in said place of business.
- E. A person may have a weapon in his possession for purposes of transporting said weapon to any location where it may lawfully be possessed under this Ordinance; provided, however, that when being so transported, shall be done in accordance with applicable State law governing the transportation of weapons.
- F. A person may have a weapon in his possession under the provisions of a valid State permit for the carrying of a concealed weapon provided that any restrictions indicated therein are observed.
- 20.278 Sec. 4103.38. FIREWORKS; PROHIBITIONS; PERMIT.

Repealed Nov. 26, 2012

20.279 4103.39. **HUNTING OR TRAPPING.**

Hunt, pursue, or trap any game within the City, except where otherwise provided by law.

20.280 Sec. 4103.40 CONDUCT CAUSING PUBLIC DANGER.

Engage in any conduct for the purpose of, or that is likely to cause public danger, alarm, disorder, or nuisance.

20.281 Sec. 4103.41. **DISORDERLY PERSON**.

Be a disorderly person as defined by Act 328 of the Public Acts of Michigan, 1931,

Sec. 22-160. - Weapons; use restricted.

- (a) It shall be unlawful for any person to discharge any firearm, gun, pistol, revolver, airgun, air pistol, or any other instrument producing a like effect and noise, or shoot a bow and arrow within the city limits, except in lawful defense of his person or property.
- (b) This prohibition shall not apply to the discharge of firearms at a firing range, approved by the chief of the city police department, by members of the city police department, and any other persons approved by the chief of the city police department; provided the times and restrictions pertaining to the use of the firing range as set forth by the chief of the city police department are complied with.

(Prior Code, § 9.106)

State Law reference— Authority to prohibit discharge of firearms, MCL 123.1104.

(Prior Code, § 9.1)

- (B) Acts prohibited. No person shall:
- (1) Discharge a pistol, other firearm or bow and arrow in the city, except when lawfully acting in the defense of persons or property or the enforcement of law or at a duly established range, the operation of which has been approved by the City Council;
- (2) Discharge a "pneumatic gun" (as defined by state law) in any area within the city that is so heavily populated as to make that conduct dangerous to the inhabitants of that area. The discharge of pneumatic guns is allowed at a duly established range, the operation of which has been approved by the City Council, on other property where firearms may be discharged as approved by the City Council, or on or within private property with the permission of the owner or possessor of that property if conducted with reasonable care to prevent a projectile from crossing the bounds of the property. An individual below the age of 16 who is in possession of a pneumatic gun must be under the supervision of a parent, a guardian or an individual 18 years of age or older, except on or within private property if the individual below the age of 16 is authorized by a parent or guardian and the property owner or legal possessor to possess the pneumatic gun;
- (3) Point, wave about or display a pneumatic gun in a threatening manner with the intent to induce fear in another individual;

TITLE XIII: GENERAL OFFENSES

Chapter

130. GENERAL OFFENSES

CHAPTER 130: GENERAL OFFENSES

Section

130.01 Diving or jumping from bridge

130.02 Pine River and Lake Michigan; swimming prohibitions

130.03 Disorderly conduct

130.04 Curfew

130.99 Penalty

§ 130.01 DIVING OR JUMPING FROM BRIDGE.

(A) Diving or jumping. It shall be unlawful for any person to jump or dive from any bridge within the city.

(Prior Code, § 9.221)

(B) Causing to fall. It shall be unlawful for any person to shove, push or cause another person to fall from any bridge, wharf, dock or pier within the city.

(Prior Code, § 9.222)

(Ord. 658, passed 3-6-2000) Penalty, see § 130.99

§ 130.02 PINE RIVER AND LAKE MICHIGAN; SWIMMING PROHIBITIONS.

- (A) For the purpose of this section, the following definitions apply unless the context clearly indicates or requires a different meaning.
- **PIER.** Any pier, jetty or other structure located adjacent to the Pine River and shall include the entire length of each pier, including the head or end of the pier and sides of each pier.
- **PINE RIVER.** The water that constitutes the river and all its extensions and, further, which is bounded: on the north by the cement walkway located on the shore; on the east by the inlet of the river at the westerly end of Round Lake; on the south by the cement walkway on the shore; and on the west by the pier heads at the outlet of the river on Lake Michigan.
 - (B) It shall be unlawful for any person to:
 - (1) Swim or wade in Pine River; and/or
 - (2) Dive from a pier.

(Prior Code, § 9.230) (Ord. 787, passed 3-19-2018) Penalty, see § 130.99

§ 130.03 DISORDERLY CONDUCT.

(A) Definitions. For the purpose of this section, the following definitions apply unless the context clearly indicates or requires a different meaning.

PUBLIC NUDITY.

(a) Knowingly or intentionally displaying in a public place, or for payment or promise of payment by any person including, but not limited to, payment or promise of payment of an admission fee, any individual's genitals or anus with less

than a fully opaque covering or a female individual's breast with less than a fully opaque covering of the nipple and areola.

- (b) **PUBLIC NUDITY** does not include any of the following:
- A woman's breast-feeding of a baby whether or not the nipple or areola is exposed during or incidental to the feeding;
 - 2. Material as defined in § 2 of Public Act 343 of 1984, being M.C.L.A. § 752.362; and
 - 3. Sexually explicit visual material as defined in § 3 of Public Act 33 of 1978, being M.C.L.A. § 722.673.

PUBLIC PLACE. Any street, alley, park, public building, parking lot, body of water, any place of business or assembly open to or frequented by the public and any other place to which the public has access.

(Prior Code, § 9.1)

- (B) Acts prohibited. No person shall:
- (1) Discharge a pistol, other firearm or bow and arrow in the city, except when lawfully acting in the defense of persons or property or the enforcement of law or at a duly established range, the operation of which has been approved by the City Council;
- (2) Discharge a "pneumatic gun" (as defined by state law) in any area within the city that is so heavily populated as to make that conduct dangerous to the inhabitants of that area. The discharge of pneumatic guns is allowed at a duly established range, the operation of which has been approved by the City Council, on other property where firearms may be discharged as approved by the City Council, or on or within private property with the permission of the owner or possessor of that property if conducted with reasonable care to prevent a projectile from crossing the bounds of the property. An individual below the age of 16 who is in possession of a pneumatic gun must be under the supervision of a parent, a guardian or an individual 18 years of age or older, except on or within private property if the individual below the age of 16 is authorized by a parent or guardian and the property owner or legal possessor to possess the pneumatic gun;
- (3) Point, wave about or display a pneumatic gun in a threatening manner with the intent to induce fear in another individual;
 - (4) Engage in public nudity;
 - (5) Engage in any disturbance, fight or quarrel in a public place;
 - (6) Obstruct traffic on any street or sidewalk without the approval of the City Manager; and/or
- (7) Refuse to leave a public meeting after having been validly ordered to leave the meeting pursuant to a rule or bylaw of the public body holding the meeting.

(Prior Code, § 9.2)

- (C) Acts prohibited (civil infraction). No person shall:
 - Disturb the public peace and quiet by loud, boisterous or vulgar conduct; and/or
- (2) Permit any place occupied or controlled by him or her to be a place in which noisy, boisterous or disorderly persons are present.

(Prior Code, § 9.4)

(D) Possession or consumption of open intoxicants. No person shall possess open intoxicants or consume intoxicants in a public place unless such possession or consumption is allowed by state law or this code.

(Prior Code, § 9.5)

(Ord. 605, passed 4-19-1993; Ord. 658, passed 3-6-2000; Ord. 665, passed 2-19-2001; Ord. 773, passed 9-21-2015) Penalty, see § 130.99

§ 130.04 CURFEW.

(A) Minors under 12. No minor child under the age of 12 years shall loiter, idle or congregate in or on any public street, highway, alley, park or other public place between the hours of 10:00 p.m. and 6:00 a.m. unless the child is accompanied by a parent or guardian, or some adult person over the age of 18 years delegated by a parent or guardian to accompany said child.

(Prior Code, § 9.91)

(B) Minors under 15. No minor child under the age of 15 years shall loiter, idle or congregate in or on any public street, highway, alley, park or other public place between the hours of 11:00 p.m. and 6:00 a.m., except where the child is accompanied by a parent or guardian, or some adult person over the age of 18 years delegated by the parent or guardian to accompany the minor, or where the minor child is upon an errand or other legitimate business directed by his or her parent or guardian.

(Prior Code, § 9.92)

(C) Minors under 17. No minor under the age of 17 years shall loiter, idle or congregate in or on any public street, highway, alley, park or other public place between the hours of 12:00 a.m. and 6:00 a.m., except where the minor is accompanied by a parent or guardian, or some adult person over the age of 18 years, delegated by the parent or guardian to accompany said minor child, or where the minor is upon an errand or other legitimate business directed by his or her parent or guardian.

(Prior Code, § 9.93)

(D) Juvenile arrest procedure. Arrests and prosecution of minors under the age of 17 years for violation of this section shall be in accordance with § 14 and the other provisions of Ch. XIIA of Public Act 288 of 1939.

(Prior Code, § 9.96)

- (E) Definitions of words and phrases. For the purpose of this section, the following definitions apply unless the context clearly indicates or requires a different meaning.
- **HARBOR.** The tacit or express permission to said child by the owner, proprietor, occupant or any of his, her or their agents, to remain on or about the premises for a time longer than reasonably necessary for said child to transact such business as he or she may there have.
- **LOITER.** Aimlessly driving or riding in or on any automobile, motorcycle, motor-driven cycle or any other motor-driven vehicle, on the streets, alleys, highways or public thoroughfares of the city without an immediate and predetermined destination.
- **OTHER PUBLIC PLACES.** Privately-owned places of business, and the premises thereof, serving the public or open to the public, such as restaurants, laundromats, gas stations, theaters and other places of public amusement.
- (F) Exemptions. It is an exemption to a violation under this section that the person engaged in the prohibited conduct while:
 - Accompanied by the minor's parent or guardian;
 - (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
 - (3) In a motor vehicle involved in interstate travel;
- (4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
 - (5) Involved in an emergency;
- (6) On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the Police Department about the minor's presence;
- (7) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;
- (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
 - (9) Married or had been married or had disabilities of minority removed in accordance with state law.

(Ord. 674, passed 9-3-2002) Penalty, see § 130.99

§ 130.99 PENALTY.

- (A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.
- (B) A violation of § 130.01 of this chapter shall be a municipal civil infraction, pursuant to § 10.99 of this code of ordinances.

(Prior Code, § 9.223)

(C) A violation of § 130.02 of this chapter shall be a municipal civil infraction, pursuant to § 10.99 of this code of ordinances, and shall be subject to a fine of \$500.

(Prior Code, § 9.231)

(D) Each person violating any provision of § 130.03(B) of this chapter shall be guilty of a misdemeanor. A person convicted of violating any provision of § 130.03(B) of this chapter shall be punished by a fine of not more than \$500 and costs of prosecution, or by imprisonment for not more than 90 days, or both.

(Prior Code, § 9.3)

(E) (1) Aiding underage children to violate law. Any person of the age of 17 years or over who shall assist, aid, abet, allow, permit or encourage any minor under the age of 17 years to violate the provisions of § 130.04(A), (B) or (C) of this chapter, or shall harbor any such child in any other public place or on his or her premises, contrary to the provisions of § 130.04(A), (B) or (C) of this chapter, shall be guilty of a misdemeanor punishable by a fine of not more than \$500 and costs of prosecution, or by imprisonment for not more than 90 days, or both.

(Prior Code, § 9.94)

(2) Parents, guardians and the like. Any parent, guardian or other person having the legal care or custody of any minor child under the age of 17 years who shall allow or permit such minor child while in his or her legal custody to loiter, idle or congregate in or upon any public street, highway, alley, park or other public place, contrary to § 130.04(A), (B) or (C) of this chapter, shall be guilty of a misdemeanor punishable by a fine of not more than \$500 and costs of prosecution, or by imprisonment for not more than 90 days, or both.

(Prior Code, § 9.95)

(Ord. 658, passed 3-6-2000; Ord. 665, passed 2-19-2001; Ord. 787, passed 3-19-2018)

RECORD OF ORDINANCES

Village of Roscommon, County of Roscommon

Ordinance No. 35

AN ORDINANCE PROHIBITING THE USE OF FIREARMS AND EXPLOSIVES WITHIN THE INCORPORATED LIMITS OF THE VILLAGE OF ROSCOMMON.

THE VILLAGE OF ROSCOMMON ORDAINS:

Section 1. Any person who shall fire or cause to be fired any firearm, including handguns, pistols, rifles, shotguns, automatic weapons; or set off or cause to be set off, any explosive substances, including firecrackers, gunpowder, dynamite, bombs; within the incorporated limits of the Village of Roscommon shall be guilty of a misdemeanor, punishable by imprisonment in the county jail not more than 30 days or and by a fine of not more than one hundred (\$100.00) dollars.

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

Knowingly take possession of and ride or take away any bicycle, without the permission of the owner, whether or not he intends to steal said bicycle.

20.271 Sec. 4103.31. LARCENY.

Commit the offense of larceny by stealing any property not his own, or receive or possess any such property knowing the same to be stolen.

20.272 Sec. 4103.32. SUMMON WITHOUT NEED; POLICE OR FIRE.

Summon, without any reasonable need thereof, by telephone or otherwise, the Police or Fire Department, ambulance, or any other service of any kind, to go to any address where the service called for is not needed.

20.273 Sec. 4103.33. SYRINGE; CONTROLLED SUBSTANCE.

At any time have or possess a hypodermic syringe, needle, or any other instrument or implement adapted or designed for the use of any controlled substance as defined by Public Act 196 of 1971 by subcutaneous injection or intracutaneous injection, inhalation, or any other manner or method of introducing controlled substances into the body and which is possessed for that purpose unless such possession is authorized by the certificate of a licensed medical doctor or Osteopathic physician issued within the period of one year; provided that the prohibition contained in the section shall not apply to manufacturers, wholesalers, jobbers, licensed medical technicians, technologists, nurses, hospitals, research institutions, clinical laboratories, medical doctors, Osteopathic physicians, dentists, chiropodists, veterinarians, pharmacists and embalmers in the normal legal course of their respective business or profession, nor to persons suffering from diabetes, asthma or any other medical condition requiring self-injection, inhalation or like ingestion of a controlled substance under prescription of a physician.

20.274 Sec. 4103.34, SNIFFING GLUE.

Inhale, drink, eat or otherwise introduce into his person any glue, adhesive cement, mucilage, dope, plastic solvent, or other substance commonly referred to or utilized as "Model Glue" containing solvene, acetone, xylene, butyl alcohol, hexane, tricresyl phosphate or other toxic ingredient with the intent of inducing intoxication, elation, a dazed condition, paralysis, irrationality, or in any manner distorting or disturbing the eyesight, thinking process, judgment, balance, or coordination except pursuant to the prescription of a licensed physician.

20.275 Sec. 4103.35. ENCOURAGE MINOR CHILD TO VIOLATE ORDINANCE.

Assist, aid, abet, or encourage any minor child to violate any provision of this Ordinance.

20.276 Sec. 4103.36. WEAPONS.

No person shall discharge any weapon within the City of Gaylord except in

connection with any training program approved by the City Council, or in connection with the performance of lawful duties of law enforcement, or as specifically provided by law in the protection of persons and property.

20.277 Sec. 4103.37. WEAPON; POSSESSION.

Have or display any weapon in his possession in any public place, with the following exceptions:

- A. A law enforcement officer of any governmental unit may have a weapon in his possession as provided by law.
- B. A person may have a weapon in his possession for purposes of his actual participation in any training program approved by the City Council.
- C. An established dealer in weapons or repairman of weapons may have weapons in his possession in his place of business for purposes of making lawful sale or repair of said weapons.
- D. The proprietor of a place of business, or his duly authorized agent, may have a weapon in his possession in said place of business.
- E. A person may have a weapon in his possession for purposes of transporting said weapon to any location where it may lawfully be possessed under this Ordinance; provided, however, that when being so transported, shall be done in accordance with applicable State law governing the transportation of weapons.
- F. A person may have a weapon in his possession under the provisions of a valid State permit for the carrying of a concealed weapon provided that any restrictions indicated therein are observed.

20.278 Sec. 4103.38. FIREWORKS; PROHIBITIONS; PERMIT.

Repealed Nov. 26, 2012

20.279 4103.39. **HUNTING OR TRAPPING.**

Hunt, pursue, or trap any game within the City, except where otherwise provided by law.

20.280 Sec. 4103.40 CONDUCT CAUSING PUBLIC DANGER.

Engage in any conduct for the purpose of, or that is likely to cause public danger, alarm, disorder, or nuisance.

20.281 Sec. 4103.41. DISORDERLY PERSON.

Be a disorderly person as defined by Act 328 of the Public Acts of Michigan, 1931,

connection with any training program approved by the City Council, or in connection with the performance of lawful duties of law enforcement, or as specifically provided by law in the protection of persons and property.

20.277 Sec. 4103.37. **WEAPON**; **POSSESSION**.

Have or display any weapon in his possession in any public place, with the following exceptions:

- A. A law enforcement officer of any governmental unit may have a weapon in his possession as provided by law.
- B. A person may have a weapon in his possession for purposes of his actual participation in any training program approved by the City Council.
- C. An established dealer in weapons or repairman of weapons may have weapons in his possession in his place of business for purposes of making lawful sale or repair of said weapons.
- D. The proprietor of a place of business, or his duly authorized agent, may have a weapon in his possession in said place of business.
- E. A person may have a weapon in his possession for purposes of transporting said weapon to any location where it may lawfully be possessed under this Ordinance; provided, however, that when being so transported, shall be done in accordance with applicable State law governing the transportation of weapons.
- F. A person may have a weapon in his possession under the provisions of a valid State permit for the carrying of a concealed weapon provided that any restrictions indicated therein are observed.

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Repealed Nov. 26, 2012

20.279 4103.39. **HUNTING OR TRAPPING.**

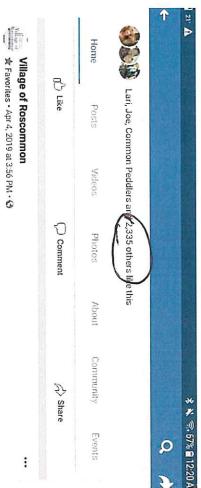
Hunt, pursue, or trap any game within the City, except where otherwise provided by law.

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20.281 Sec. 4103.41. DISORDERLY PERSON.

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Notice of Council meeting

Acess to the Complete

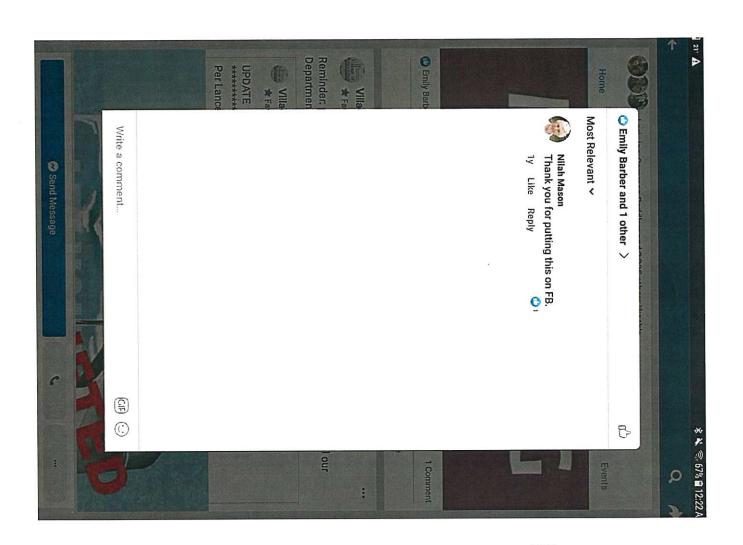
Acess to the Complete Agenda Packet

Council will meet on Monday, April 8th at 7:00 pm. All residents... See More

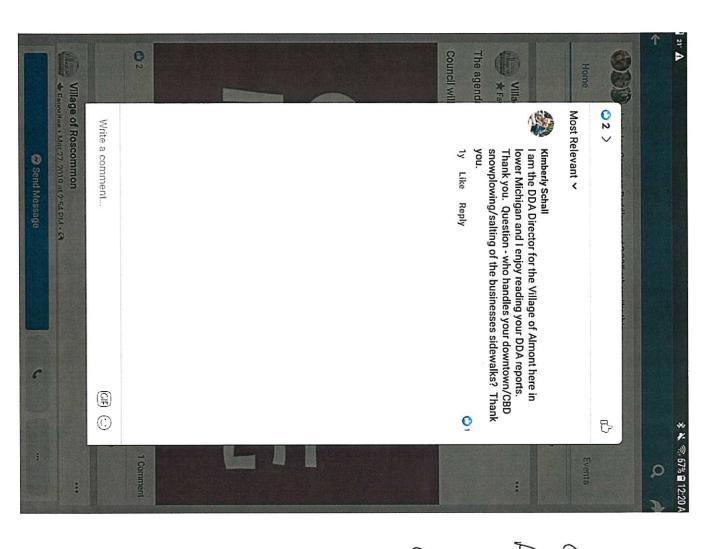
The agenda for Council's meeting is now available. Please click on the link below.

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Village of Roscommon

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business May 28th. Interviews will begin on May 29th. employee. Job summary and application are available below. Application deadline is close of The Village of Roscommon is seeking qualified applicants for the seasonal maintenance

Please visit the link below to access the job description and employment application

http://roscommonvillage.com/seasonal-position-available-posted-5-14-2019.



Village of Roscommon

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more Applications = Better options in candidates





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Village of Roscommon

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Village of Roscommon

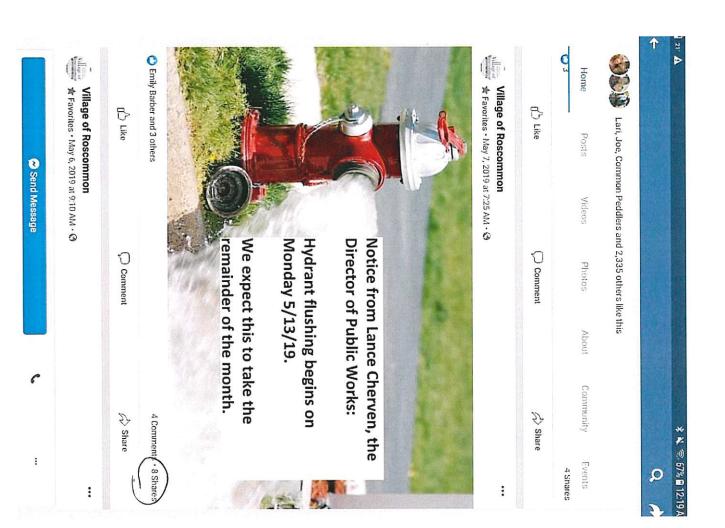
★ Favorites • May 14, 2019 at 11:35 AM • ③

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employee. Job summary and application are available below. Application deadline is close of business May 28th. Interviews will begin on May 29th. The Village of Roscommon is seeking qualified applicants for the seasonal maintenance











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UPDATE

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Per Lance Cherven, Director of Public Works:... See More



We are so excited for WinterFest Higgins Lake Roscommon Chamber of Commerce coming up

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* Favorites • Feb 18, 2019 at 7:00 AM • S

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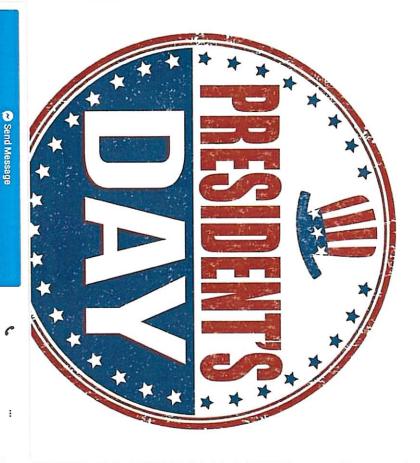
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In case of water/sewer emergencies, please call 989-275-0911

Village Hall is closed Monday, February 18th in observance of Presidents' Day. We will re-open at 7:00 am on Tuesday, February 19th.



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Roscommon County Council Dec 14 at 4:25 AM · 3

LEVEL 3 - COVID 19 RESTRICTED OPENING HOURS from 1st December, 2020

√ Áras an Chontae, Roscommon:... See More





LEVEL 3 - COVID19 RESTRICTED OPENING HOURS - 1ST DEC, 2020

Public counters will be open for unscheduled public access between 10.00 a.m. to 1.00 p.m. Monday to friday for the following Departments: Planning, Housing, Motor Tax and Cash Office. Services outside these hours it by appointment only.

Entrance and Exit will be through the main door (Church Road entrance)

FOR ALL OTHER SERVICES, PUBLIC ACCESS IS BY APPOINTMENT ONLY.

Athlone, Boyle and Roscommon Municipal District Offices will be open from 10.00 a.m. to 1.00 p.m. Monday to Friday. Services outside these hours by appointment only.

Caxilerea, Ballighaderreen and Strokestown will continue by appointment only.

Telephone: 090 66 37100 for Appointments

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Dec 13 at 1:30 PM · 🚱 Roscommon County Council

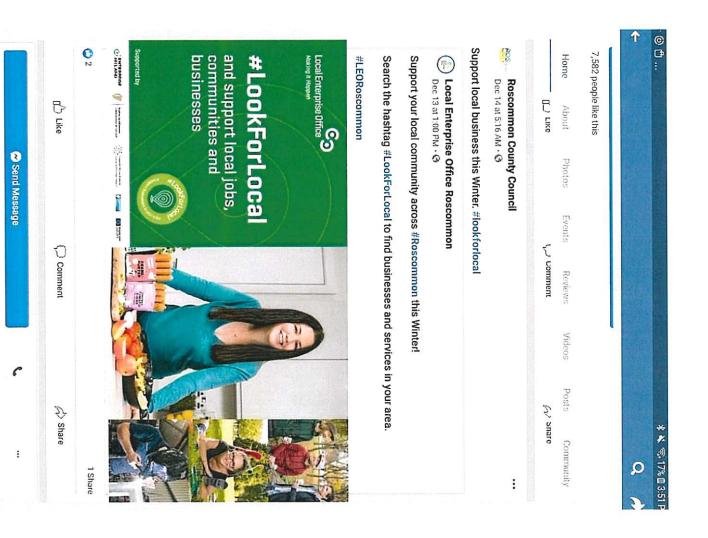
Roscommon County Council has launched an #interactive #online #map detailing locations

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MARIHUANA STATUTES IN MICHIGAN

- I. Medical Marihuana Act, MCL 333.26421, et seq.
 - Qualifying Patients.
 - B. Primary Caregivers.
 - C. New ZO regulations authorizing this new land use. (See Section 3.25 of the zoning ordinance.)
 - D. Michigan Supreme Court case pending that will clarify extent of zoning regulations.
- II. Medical Marihuana Facilities Licensing Act, MCL 333.27101, et seq.
 - A. Requires state licence to operate a marihuana facility.
 - B. Definitions of five (5) different facilities.
 - "Grower" means a licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center.
 - 2. "Processor" means a licensee that is a commercial entity located in this state that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center.
 - "Provisioning center" means a licensee that is a commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the Michigan medical marihuana act is not a provisioning center for purposes of this act.
 - 4. "Safety compliance facility" means a licensee that is a commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for

- tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility.
- 5. "Secure transporter" means a licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.

C. Local Control.

- 1. Cannot operate a facility unless municipality adopts an ordinance that authorizes that type of facility.
- 2. Any such ordinance cannot regulate the purity or price of the marihuana and cannot conflict with the state statute.

D. Fee.

- Municipal ordinance may establish an annual, nonrefundable fee of not more than \$5,000.00 to help defray administrative and enforcement costs associated with the operation of a marihuana facility in the municipality.
- 2. Limits under Bolt.
- III. Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951 (Recreational Marihuana Statute)
 - A. Requires state licence to operate a marihuana establishment.
 - B. Definitions of six (6) different establishments.
 - "Marihuana grower" means a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.
 - 2. "Marihuana microbusiness" means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.
 - "Marihuana processor" means a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

- 4. "Marihuana retailer" means a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.
- 5. "Marihuana secure transporter" means a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.
- "Marihuana safety compliance facility" means a person licensed to test marihuana, including certification for potency and the presence of contaminants.

C. Local control.

- Can operate an establishment with a state license, unless municipality enacts an ordinance that completely prohibits or limits the number of marihuana establishments within its boundaries.
- 2. Regardless of municipality's action, an individual may petition to initiate an ordinance to provide for the number of marihuana establishments allowed within the municipality or to completely prohibit marihuana establishments within the municipality. (Goes both ways.)
 - a. Petition must be signed qualified electors greater than 5% of the votes cast for governor at the last gubernatorial election.
 - If petition requirements met, then initiated ordinance must be submitted to electors at the next regular election. (There are certain filing deadlines under the election law that must be met.)

D. Fee.

- Municipality may charge an annual fee of not more than \$5,000 to defray application, administrative, and enforcement costs associated with the operation of the marihuana establishment in the municipality.
- 2. Limits under Bolt.

Recreational Marijuana Payments

Michigan Department of Treasury < MITreasury@govsubscriptions.michigan.gov> Wed 3/3/2021 10:27 AM

To: Village Clerk <clerk@roscommonvillage.com>

Local Government Update

Recreational Marijuana Payments

On March 4, the Michigan Department of Treasury will begin distributing more than \$45.7 million collected from taxes and fees under the <u>Michigan Regulation and</u> <u>Taxation of Marihuana Act (Initiated Law 1 of 2018)</u>.

As <u>part of the Act</u>, after funding statutorily defined distributions, disbursements will be as follows:

- 1. 15% to municipalities in which a marijuana retail store or a marijuana microbusiness is located, allocated in proportion to the number of marijuana retail stores and marijuana microbusinesses within the municipality.
- 15% to counties in which a marijuana retail store or a marijuana microbusiness is located, allocated in proportion to the number of marijuana retail stores and marijuana microbusinesses within the county.
- 3. 35% to the School Aid Fund to be used for K-12 education.
- 4. 35% to the Michigan Transportation Fund to be used for the repair and maintenance of roads and bridges.

Distributions to Local Units of Government

Cities, villages, townships and counties will be receiving nearly \$10 million under the Act. The distribution rate for FY 2020 Recreational Marijuana payments is slightly over \$28,000 per licensed marijuana retail store and microbusiness.

Each city, village, and township will receive a payment based on the number of licensed marijuana retail stores and microbusinesses located within its jurisdiction. In addition, counties will receive a payment based on the number of licensed marijuana retail stores and microbusinesses located within its jurisdiction.

A listing of Recreational Marijuana payments can be found in the following document:

FY 2020 Recreational Marijuana Payments (by municipality and county)

Questions? Comments?

For more information about distributions under the Michigan Regulation and Taxation of Marihuana Act, go to www.michigan.gov/revenuesharing. Questions regarding Recreational Marijuana payments can be emailed to TreasRevenueSharing@michigan.gov or call 517-335-7484.