

**GENERAL PROVISIONS
CITY OF GAYLORD, MICHIGAN**

12.000 AN ORDINANCE TO PROVIDE FOR THE EXERCISE OF CERTAIN MUNICIPAL POWERS OF THE CITY OF GAYLORD, AND TO PROVIDE FOR THE HEALTH, SAFETY, AND WELFARE OF PERSONS AND PROPERTY IN THE CITY, AND TO AMEND, CONSOLIDATE, ALTER, REVISE, AND CODIFY CERTAIN PRIOR ORDINANCES, AND TO PROVIDE PENALTIES FOR THE VIOLATION OF PROVISIONS OF SAID ORDINANCE.

THE CITY OF GAYLORD ORDAINS:

12.010 Sec. 1000. **CHAPTER ONE: GENERAL PROVISIONS.**

12.011 Sec. 1100. **ARTICLE ONE: ENACTMENT, CONTENTS, AND INTERPRETATION.**

This Code shall include all Ordinances and other rules and regulations of a general and permanent nature enacted by the City of Gaylord Council prior to the effective date of this Code, except those included in a separate appendix.

12.012 Sec. 1101. **SHORT TITLE.**

This Ordinance shall be known and cited as the "Gaylord Code".

12.013 Sec. 1102. **DEFINITIONS.**

Except as otherwise specifically provided or indicated by the context, the definitions given in this section shall be applied in the interpretation of this Code, and other ordinances included in a separate appendix.

12.014 Sec. 1102.1. **USE OF WORDS.**

All words used in this Code indicating the present tense shall not be limited to the time of adoption of this Code but shall extend to and include the time of the happening of any event or requirement for which provision is made herein.

12.015 Sec. 1102.2. **WORDS; SINGULAR/PLURAL; GENDER.**

The singular number shall include the plural, the plural number shall include the singular, and the masculine gender shall extend to and include the feminine gender and the neuter.

12.016 Sec. 1102.3. **PERSON.**

The word "**person**" shall include any individual, co-partnership, corporation,

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association, club, joint adventure, estate, trust, and any other group or combination acting as a unit.

12.017 Sec. 1102.4. **STATUTE.**

The word "**statute**" shall denote the Public Acts of Michigan in effect at the time the provisions of the Code containing the reference is to be applied. All references to specific Public Acts shall be to such acts as are in effect at the time the reference to such Act is to be applied.

12.018 Sec. 1102.5. **LAW.**

The word "**law**" or "**general laws of the state**" shall denote the constitution and the Public Acts of Michigan in effect at the time the provision of the Code containing the reference is to be applied. Michigan Statutes Annotated may be cited in addition to or in lieu of citations to the Public Acts.

12.019 Sec. 1102.6. **CLERK.**

All references to "**Clerk**" shall have reference to the City Clerk of the City of Gaylord.

12.020 Sec. 1102.7. **MANAGER.**

All references to "**Manager**" or "**City Manager**" shall have reference to the City Manager of the City of Gaylord.

12.021 Sec. 1102.8. **TREASURER.**

All references to "**Treasurer**" shall have reference to the City Treasurer of the City of Gaylord.

12.022 Sec. 1102.9. **CITY.**

All references to "**City**" shall have reference to the City of Gaylord.

12.023 Sec. 1102.10. **COUNCIL.**

All references to "**Council**" shall have reference to the Gaylord City Council.

12.024 Sec. 1102.11. **SECTION NUMBERS.**

All references to section numbers shall refer to section numbers and sub-section numbers of this Code.

12.025 Sec. 1102.12. **WORDS AND PHRASES.**

All other words and phrases shall be given a reasonable definition, which insofar as possible shall adhere to their usual and customary definitions without defeating or distorting the clear and expressed intent of this Code, or any part thereof.

12.026 Sec. 1102.13. **NOTICE.**

Unless otherwise expressly provided by this Code, "**notice**" shall mean a written statement of a fact situation which, if true, constitutes an offense under this Code, and it shall be deemed adequate if it cites the appropriate sections or sub-sections of the Code and is served personally or by certified mail on the offender by the City Clerk, City Manager or any City Police Officer.

12.027 Sec. 1103. **HEADINGS.**

The chapter and section headings used in this Code are for convenience only and shall not be considered as part of this Code.

12.028 Sec. 1104. **PENALTIES.**

Unless another penalty is expressly provided by this Code for any particular provision or section, every person convicted of a violation of any provision of this code, or any rule or regulation adopted or issued in pursuance thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00) and costs or by imprisonment of not more than ninety (90) days, or by both such fine and imprisonment.

12.029 Sec. 1104.1. **EACH VIOLATION; SEPARATE OFFENSE.**

A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

12.030 Sec. 1104.2. **CITY; REMOVING AND ABATING NUISANCE; RIGHT OF ENTRY.**

The City shall have the right to enter in or upon private property for the purpose of removing or abating any nuisance or other condition the existence of which constitutes a violation of this Code or separate appendix and in all such cases the City may recover its actual and necessary expenses plus a penalty of twenty-five per cent of such costs by suit in court, or by placing its claim on the next General Tax Roll as a tax lien to be enforced in the same manner as provided by law for collection of delinquent and unpaid taxes, PROVIDED HOWEVER, that such tax lien shall be filed only against property on which a nuisance existed or violation occurred.

12.031 Sec. 1104.3. **PENALTIES; APPLICATION.**

The penalty provided by this section shall, unless another penalty is expressly provided, apply to any amendment of this Code whether or not such penalty is reenacted in the amendatory ordinance.

12.032 Sec. 1104.4. **PROSECUTION; CONVICTION; PUNISHMENT.**

Every person concerned in the commission of an act prohibited by this Code, whether he directly commits the act, or causes, counsels, aids, or abets in its commission, may be prosecuted under the provisions of this Code and, on conviction, shall be punished as if he has directly committed such act.

12.033 Sec. 1105. **SEVERABILITY.**

If any provision, section, article, or clause of this code or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portion or application of the Code which can be given effect without the invalid portion or application, and to this end this Code is declared to be severable.

12.034 Sec. 1105.1. **PROVISIONS OF SECTION; APPLICABILITY.**

The provisions of this section shall apply to any amendment of this Code whether or not the wording of this section is set forth in the amendatory ordinance.

12.035 Sec. 1106. **REPEAL.**

Ordinances and parts of ordinances in conflict with this Code are hereby repealed.

12.036 Sec. 1106.2. **ORDINANCES RETAINED.**

Specifically the following Ordinances are retained and are included in the appendices of this Code:

No. 105	Zoning Ordinance
No. 108	An Ordinance to Provide for City Water System
No. 108A	
No. 119	An Ordinance Granting Rights To Consumers Power Company

12.037 Sec. 1107. **EFFECTIVE DATE.**

This Ordinance shall take effect on and after September 1, 1963.