

**CITY OF IMLAY CITY**

**LAPEER COUNTY, MICHIGAN**

**ORDINANCE NO. 94-03**

**AMENDMENT OF CITY OF IMLAY CITY  
CODE OF ORDINANCES – CHAPTER 94: FIRE PREVENTION**

**Title**

AN ORDINANCE to secure the public health, safety and general welfare of the residents and property owners of the City of Imlay City, Lapeer County, Michigan by adopting by reference the International Fire Code, 2024 Edition with specified additions; adopting by reference the National Fire Protection Association 101 Life Safety Code 2021 Edition (February 11, 2000); adopting by reference the National Fire Protection Association Automatic Suppression Systems 13 Code 2022 Edition; adopting by reference the National Fire Protection Association 72 Fire Alarm Systems Code by reference; setting forth regulations regarding open burning in the City of Imlay City; requiring key boxes for specified premises and in specified situations; establishing regulations for Fire Department connections; establishing a Board of Appeals; exercising the City's right to participate in the Fire Insurance Escrow Act Program; requiring Fire Department review of building plans; prohibiting vehicles from crossing fire hoses, prohibiting the defacing of fire equipment; providing regulations for fire hydrant use, outdoor containers, prohibiting the use of outdoor solid-fuel-fired furnace; establishing the individuals authorized to enforce the Chapter, providing penalties for the violation thereof and repealing any and all provisions and resolutions in conflict therewith.

**THE CITY OF IMLAY CITY, COUNTY OF LAPEER, MICHIGAN  
ORDAINS:**

**SECTION 1. AMENDMENTS**

Chapter 94 (Fire Prevention) of Title IX (General Regulations), shall be repealed and the following substituted therefor:

**CHAPTER 94: FIRE PREVENTION**

**Sec. 94.01 - ADOPTION OF CODES BY REFERENCE**

The following codes are adopted by reference:

94.01.01 – The International Fire Code. The International Fire Code, 2024 Edition, including its appendices, as published by the International Code Council, is adopted and incorporated in its entirety herein.

94.01.02 – Additions, Insertions, Deletions and Changes to the International Fire Code, 2024 Edition. Section numbers within the text refer to Sections in the International Fire Code. The City of Imlay City adopts the following additions to the International Fire Code of 2024:

94.01.02.a General. If during the inspection of premises, a building or structure or any building system, in whole or in part, constitutes a threat to human life, safety, or health, the Fire Code Official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with the Code. The owner, occupant, or person in possession or control shall immediately comply with such notice or order, including the payment of any fees or obtaining any permits from applicable departments or agencies for any of the repairs, alterations, remodeling, removal, or demolition required.

94.01.02.b Failure to Comply with Stop Work Order. Any person who shall continue any work after being served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100 or more than \$500. Each day a violation occurs may be a separate offense. The City of Imlay City may also pursue injunctive relief.

94.01.02.c Tenant Identification. Tenant identification shall be provided for secondary exits from occupied tenant spaces that lead to an exit corridor or directly to the exterior of the building. Tenant identification shall be posted on the exterior side of the exist or exist access door and shall identify the business name and address using plainly legible letters and numbers that contrast with their background. There are no exceptions.

94.01.02.d Required Access.

1) Exterior doors and openings required by this code or the Michigan Building Codes shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from the fire apparatus access road to exterior openings shall be provided when required by the Fire Code Official.

2) All required rescue windows shall be accessible by a thirty-five-foot ground extension ladder placed so that the inclination of the ladder does not exceed 70°. An area of discharge, 36 inches in all directions around the base of the ladder, shall be provided. Ladders and associated areas of discharge shall be located within the property line.

94.01.02.e On Site Hydrants and Mains. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on site fire hydrants and mains shall be provided where required by the Fire Code Official.

94.01.02.f Identification of Fire Protection Equipment. Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location shall be constructed of durable materials permanently installed and readily visible. All fire department connections shall have a sign approved by the Fire Code Official. The sign shall specify the type of water-based fire protection system it serves and the building area served.

94.01.02.g Inspection of Hoods, Devices, Fans and Ducts. An inspection shall be performed on all hoods, grease-removal devices, fans, ducts and other appurtenances at intervals specified on Table 606.3.3.1 or as approved by the Fire Code Official. Inspections shall be made by the manufacturer, installer, or maintenance company. The inspections shall ascertain that the system will cover all the cooking surfaces with the extinguishing agent when manually or automatically actuated. The manual actuation, automatic actuation, and system interconnections shall also be inspected to determine that they operate as required. A written inspection report shall be filed with the Fire Code Official upon completion of each inspection.

94.01.02.h Content of Inspection Records. Inspection records shall state the individual and company performing the inspection, a description of the inspection and when the inspection took place. Records for cleaning shall state the individual and company performing the cleaning and when the cleaning took place. Such records shall be completed after each inspection or cleaning, maintained on the premises for a minimum of three years, and a

copy of each report shall be forwarded to the Fire Code Official within 30 days of the date of the inspection, cleaning, test, or maintenance performed.

94.01.02.i Copies of Records. Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years. A copy of each inspection, test, or maintenance record shall be forwarded to the Fire Code Official within 30 days of the date that the inspection, test, or maintenance occurred.

94.01.02.j Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by vehicle parking, carports, garages, refuse storage containers, fences, landscaping or other obscuring features for a minimum of three feet. Access to fire department connections shall be approved by the Fire Chief.

94.01.02.k Open Buildings Due to Fire. The Fire Code Official or a duly authorized representative is empowered to order the securing of fire-damaged buildings. If the owners of the affected building are present, this order shall be given to them. If no owners or representatives of the building are present, the Fire Code Official or a duly authorized representative may have the building secured. The expense of securing the building shall be a debt to the City from the responsible owner and shall be collected as any other debt to the City. Fire-damaged buildings or sites are subject to the same abatement procedures as contained in Section 115 for unsafe buildings.

94.01.03 – National Life Safety Code. The National Fire Protection Association (NFPA) 101 Life Safety Code 2021 Edition, promulgated by the National Fire Protection Association, Inc. (February 11, 2000) is adopted and incorporated in its entirety herein.

94.01.04 – Automatic Suppression Systems Code. The National Fire Protection Association 13 Automatic Suppression Systems Code 2022 Edition promulgated by the National Fire Protection Association, Inc. is adopted and incorporated in its entirety herein.

- a. It shall be unlawful for any person to install or modify an automatic suppression system without first obtaining a fire permit from the Fire Chief or his designee.

- b. No permit shall be issued for installation or modification of an automatic suppression system until an application has been submitted in accordance with this Code and all applicable City Ordinances.

94.01.05 – Fire Alarm Systems Code. The National Fire Protection Association 72 Fire Alarm Systems Code 2022 Edition promulgated by the National Fire Protection Association, Inc. is adopted and incorporated in its entirety herein.

- a. It shall be unlawful for any person to install or modify a fire alarm system without first obtaining a fire permit from the Fire Chief or his designee.
- b. No permit shall be issued for installation or modification of a fire alarm system until an application has been submitted in accordance with this Code and all applicable City Ordinances.

94.01.06 – Availability of Copies of Codes Adopted by Reference. Printed copies of the International Fire Code 2024 Edition, the National Fire Protection Association (NFPA) 101 Life Safety Code 2021 Edition, the National Fire Protection Association 13 Automatic Suppression Systems Code 2022 Edition, and the National Fire Protection Association 72 Fire Alarm Systems Code 2022 Edition, are maintained in the City Clerk's Office in the City of Imlay City and are available for public use, review and inspection during regular business hours.

## **Sec. 94.02 – DEFINITIONS**

The following definitions shall apply to the provisions of this Chapter.

*Fire Chief* means the Fire Chief of the City of Imlay City.

*Fire Code Official* means the Fire Chief; The Fire Inspector, The Fire Marshall or the Fire Chief's designee.

*Fire Official* means the Fire Chief or his designee.

## **Sec. 94.03 – BOARD OF APPEALS**

In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official with respect to the application and interpretation of the above Codes, there is established a Board of Appeals. The Board of Appeals shall consist of three or more individuals. The Fire Officials shall be an exofacial member of the Board of Appeals but shall have no vote on any matter before the Board. Board members need not be residents of Imlay City. The Board shall adopt rules of procedure for conducting its business and shall render all



decisions and findings in writing to the appellant with a duplicate copy to the Fire Code Official.

**Sec. 94.04 – FEEES**

All fees for permits, bonds, inspections and testing required by the Codes adopted herein shall be established by Resolution of the City Commission.

**Sec. 94.05 – BUILDING PERMIT REQUIREMENTS**

No building permit will be issued by the Lapeer Construction Code Authority for any City Department until all plans required by this Chapter have been submitted and approved in accordance with the provisions of this Chapter.

**Sec. 94.06 – FIRE INSURANCE ESCROW ACT**

- a. P.A. 495 of 1980, establishes the rights of a city, township or village to receive up to 15% of the proceeds of a fire insurance policy settlement for a structure located within such city, village, or township which is destroyed by fire.
- b. Imlay City hereby adopts the provisions of MCL 500.2845.
- c. Imlay City shall uniformly apply MCL 500.2845 with respect to all property located within the City.
- d. The Fire Chief or his designee is hereby designated administrator of the Fire Insurance Withholding Program for the City.
- e. An escrow account shall be established specifically for the receipt and holding of such funds as may be received under this program.

**Sec. 94.07 – VEHICLES CROSSING FIRE HOSE**

A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, alley way, private drive, or other vehicular roadway without the consent of the Fire Official in command of the operation.

**Sec. 94.08 – DEFACING FIRE EQUIPMENT**

No person shall damage, deface or attempt or conspire to damage or deface any Fire Department vehicle at any time, or to injure, or attempt to injure, Fire Department personnel while performing departmental duties.

## **Sec. 94.09 – FIRE HYDRANT USE**

A person shall not use or operate any fire hydrant intended for the use of the fire Department for fire-suppression purposes unless such person first secures written permission from the Fire Chief. In addition, no person shall obstruct, remove, tamper with or otherwise disturb any fire hydrant except for the purpose of fire extinguishment, training, testing purposes, making necessary repairs, or when permitted by the Fire Chief or Director of Public Works.

## **Sec. 94.10 – FIRE DEPARTMENT CONNECTION**

The location of Fire Department connections shall be approved by the Fire Code Official as outlined in this Chapter.

Sec. 94.10.01 – Locations. Unless approved by the Fire Code Official, the Fire Department connection location (FDC) shall not be located more than 50 feet from a fire hydrant. FDCs shall be installed not less than 18 inches nor more than 36 inches above the finished grade of an approved fire apparatus access road. FDCs shall not be obstructed by vehicle parking, carports, garages, refuse storage containers, fences, landscaping or other obscuring features.

Exceptions: Existing FDCs and FDCs that are not able to be located away from a wall due to physical restrictions may be located in an area approved by the fire official.

Sec. 94.10.02 – Sprinkler Systems. FDCs serving sprinkler systems shall be installed at an approved remote location away from the building or structure, and shall not be located on the wall of a building unless approved by the Fire Official.

Sec. 94.10.03 – Standpipe Systems. FDCs serving class one or class three standpipe systems may be located on walls, provided such walls are of fire-resistive or noncombustible construction.

## **Sec. 94.11 – OUTDOOR CONTAINERS**

Dumpsters or containers stored outdoors shall be provided with lids and shall be constructed (including the lids) of noncombustible materials or combustible materials if approved by the Fire Official. Such containers shall not be placed within 10 feet of combustible walls, openings or combustible roof eave lines. Existing enclosures or container storage areas are exempt from this requirement if they are not currently within 10 feet of an exit or a utility meter.

## **Sec. 94.12 – OUTDOOR SOLID-FUEL-FIRED FURNACE PROHIBITION**

The installation and use of solid-fuel furnaces is prohibited. No property owner, lessee, or person in possession or control of real property in Imlay City shall use or permit the use of solid-fuel-fired furnaces. The lawful use of a properly functioning outdoor solid-fuel-fired furnace existing at the time the adoption of this Chapter may be continued if the use of the solid-fuel-fired furnace does not create a public nuisance or human health hazard.

## **Sec. 94.13 – RAPID ENTRY ACCESS**

Sec. 94.13.01 – Definitions. The following definitions shall apply to the terms utilized in this Chapter:

*Key Box* means a UL box identified as a "Knox Box" approved by the Fire Official that meets the requirements and uses the same security key code adopted by the Fire Department. The "Knox Box" shall be the 3200 Series with hinged doors or a box as otherwise approved by the Fire Official. The Key Box shall provide for a surface or recessed mount.

*Fire District* means the fire protection district for which fire and emergency medical services are provided by the Imlay City Fire Department.

*Responsible Party* means the person(s) charged with the responsibility for the occupancy and security of the building. A Responsible Party may include the owner or lessee of the building.

*Security Cap* means a Fire Department Connection (FDC) Plug and Cap approved for use in Imlay City by the Fire Official utilizing 2 1/2" National Standard thread pattern.

*Security Padlock* means a padlock approved by the Fire Official that uses the approved key code utilized by the Fire Department.

Sec. 94.13.02 – Requirements. Key boxes shall be required as follows:

a. When a building within the Fire District is protected by an automatic fire suppression and/or standpipe system, it shall be equipped with a Key Box, installed at a location approved by the Fire Official.

b. When a building is protected by an automatic alarm system and/or access to or within a building, or an area within that building, is unduly difficult because of secured openings, and where immediate access is necessary for life saving or firefighting purposes, it shall be equipped with a Key Box installed at a location approved by the Fire Official.



c. In buildings storing or dispensing Hazardous Materials, a Hazardous Materials Cabinet may be required. This cabinet will serve to store MSDS and other information as required by the Fire Official.

d. When property is accessed through a gate or cross arm that impedes ingress through required Fire Lanes by means of a key or swipe card, the gate or cross arm shall be equipped with a Key Switch to be installed at a location approved by the Fire Official.

e. When a building is protected by an automatic sprinkler and/or standpipe system and the Fire Department connection is exposed to vandalism, the Fire Official may require that a Security Cap be installed.

f. All new commercial construction or a change in use of a commercial occupancy shall provide an approved Key Box security system.

g. This Chapter shall not apply to owner-occupied one and two-family dwellings. Owners of single and two-family occupancies are encouraged to participate voluntarily utilizing a Residential Security Box.

h. The Key Boxes shall contain the following items as designated by the Fire Official:

1. Labeled Keys to locked points of egress, whether within the interior or exterior of the buildings.
2. Labeled Keys to the locked mechanical rooms.
3. Labeled Keys to any fence or secured areas not covered in Section 4, Subsections D, E or F.
4. Labeled Keys to any other areas that may be required by the Fire Official.
5. A card containing the name(s) and telephone numbers of emergency contact personnel.
6. Floor plans of the rooms within the building may be required, showing locations of shut-offs.
7. Hazardous Materials MSDS as required.

i. Alert Decals, approved by the Fire Official, to alert fire companies of the presence of security features covered by this Ordinance, will be displayed on any outside doors or windows as designated by the Fire Official.

j. All newly-constructed buildings, not yet occupied or buildings currently under construction and all buildings or businesses applying for a certificate of occupancy, and/or building permits will be required to comply with this Chapter. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be borne by the Responsible Party. This Chapter shall not apply to existing buildings that have received a certificate of occupancy from the Construction Code Authority.

#### **Sec. 94.14 – OPEN BURNING**

Sec. 94.14.01 – Applicability. This Chapter applies to all outdoor burning and open burning within Imlay City except:

- a. This Chapter does not apply to campfires that are not greater than 4 feet wide x 4 feet deep x 4 feet tall.
- b. This Chapter does not apply to grilling or cooking food using charcoal, wood, propane or natural gas in cooking or grilling appliances.
- c. This Chapter does not apply to burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building for human or animal habitation.
- d. This Chapter does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities or small (clean) wood fires confined to a metal container utilized by licensed contractors, for masonry work during the months of December, January, February or March.

Sec. 94.14.02 – General Prohibition on Outdoor and Open Burning. Except as provided within this Chapter, open burning of any materials and of any type is expressly prohibited.

Sec. 94.14.03 – Definitions. The following definitions apply to the provisions of this Chapter.

*Campfire* means a small outdoor fire intended for ceremonial purposes, recreation or cooking but not including a fire intended for disposal of waste wood or refuse. Size limited to 4 feet wide x 4 feet deep x 4 feet tall.

*Clean Wood* means natural wood which has not been painted, varnished or coated with similar materials; has not been pressure treated with preservatives; and does not contain resins or glues as a plywood or other composite wood products.

*Construction and Demolition Waste* means building waste materials, including but not limited to waste shingles, insulations, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.

*Outdoor Burning* means open burning or burning in an outdoor wood-fired boiler or patio wood burning unit.

*Open Burning* means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney. Open burning includes campfires that are greater than 4 feet wide x 4 feet deep and 4 feet tall.

*Outdoor Wood-Fired Boiler* means a wood-fired boiler, stove or furnace that is not located within a building intended for habitation by humans or domestic animals.

*Patio Wood-Burning Unit* means a chimney, patio warmer, or other portable wood-burning device used for outdoor recreation and/or heating.

*Prescribed Burn* means the burning, in compliance with a prescription and to meet planned fire or land management objectives, of a continuous cover of fuels. A "prescription" means a written plan establishing the criteria necessary for starting, controlling, and extinguishing a burn.

*Refuse* means any waste material except trees, logs, brush, stumps, leaves, grass clippings, and other vegetative matter.

Sec. 94.14.04 – Open Burning of Refuse Prohibited. All open burning of refuse is prohibited, including but not limited to the burning of:

- a. Construction and demolition waste.
- b. Hazardous substances including but not limited to batteries, household chemicals, pesticides, used oil, gasoline, paints, varnishes and solvents.
- c. Furniture and appliances.
- d. Tires.

- e. Any plastic materials including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- f. Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.

Sec. 94.14.05 – Open Burning of Trees, Logs, Brush, Stumps, Leaves and Grass Clippings. Open burning of yard waste, including but not limited to trees, logs, brush, stumps, leaves, and grass clippings is allowed only in accordance with the following provisions:

- a. A permit issued in accordance with this Chapter must be obtained prior to open burning.
- b. Open burning of yard waste, including but not limited to trees, logs, brush and stumps must be conducted at least 1,400 feet from an incorporated city or village limit.
- c. Except for barbecue, gas, and charcoal grills, no open burning shall be undertaken during periods when the Governor of Michigan, Department of Environmental Quality or Department of Natural Resources or Fire Chief has issued a burning ban applicable to the area. Permit holders shall be responsible for determining if a ban is in place.
- d. All allowed open burning shall be conducted in a safe, nuisance free manner, when wind and weather conditions minimize adverse effects and do not create a health hazard or a visibility hazard on roadways, railways, railroads or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations.
- e. Except for campfires, open burning shall be conducted only on the property on which the materials were generated.
- f. Open burning under this section shall only be conducted at a location at least fifty (50) feet from the nearest building which is not on the same property.
- g. Except for campfires, open burning shall only be conducted during daylight hours and shall be completely extinguished prior to sunset.

- h. Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for such fire extinguishing equipment as may be necessary for the total control of the fire.
- i. No materials may be burned in or upon any street, curb, gutter, sidewalk or ditch.
- j. Except for barbecue, gas, and charcoal grills, no burning shall be undertaken within twenty-five (25) feet from any combustible material, combustible wall or partition, exterior window opening, exist access or exit unless authorized by the Fire Chief.

Sec. 94.14.06 – Prescribed Burns; Eradication of Phragmites.

- a. Prescribed burns are allowed only if conducted in accordance with the written plan for starting, controlling and extinguishing the burn. Such plan must be filed with the Fire Department at least seven (7) days prior to the scheduled prescribed burn.
- b. Fires set for forest, prairie, and wildlife habitat management are allowed only if conducted in accordance with Part 515 of the Natural Resources and Environmental Protection Act, MCL §324.51501 *et seq.*

Sec. 94.14.07 – Patio Wood-Burning Units. A patio wood-burning unit may be installed and used in the City only in accordance with all of the following provisions:

- a. The patio wood-burning unit shall not be used to burn refuse.
- b. The patio wood-burning unit shall burn only clean wood.
- c. The patio wood-burning unit shall be located at least fifteen (15) feet from any structure and twenty-five (25) feet from the nearest structure which is not on the same property as the patio wood burning unit.
- d. The patio wood-burning unit shall not cause a nuisance to neighbors.



Sec. 94.14.08 – Fire Suppression Training by Fire Departments or Other Authorized Agencies. Notwithstanding other provisions of this Chapter, structures and other material may be burned for fire prevention training only after 7 day notice to, and approval by the Fire Chief and only in accordance with all of the following provisions.

- a. The burn must be exclusively for fire prevention training. The burning shall not be used as a means to dispose of waste material including tires and other hazardous materials.
- b. All ash shall be disposed of in an approved landfill or at an alternate location approved by Michigan Department of Environmental Quality.
- c. Asphalt shingles and asphalt or plastic siding shall be removed prior to the practice burn unless the Fire Chief determines that they are necessary for the fire practice.
- d. At least 48 hours before a planned practice burn, residents within one thousand (1,000) feet of the site of the proposed burn shall be notified.
- e. All fire suppression training must conform to the guidelines established by the National Fire Protection Association (NFPA) Standard on Live Training Evolutions (NFPA 1403).

Sec. 94.14.09 – Burning Permits; Issuance. No person shall start or maintain any outdoor burning or open burning covered under this Chapter without a burning permit issued by the Fire Department or its designee.

- a. Burning permits may be secured from the Fire Department during regular business hours and, at a minimum, shall include the following information:
  1. The name and address of the applicant;
  2. The location of the land and/or premises where such open burning is to occur;
  3. The type of material to be burned; and
  4. The time and date contemplated for such open burning.
- b. Fees for open burning permits shall be established by resolution of the City Commission.

- c. A burning permit issued under this section shall require compliance with all applicable provisions of this Chapter and any additional special restrictions deemed necessary to protect public health and safety.
- d. The open burning of brush, tree stumps, branches, yard clippings, leaves and grass clippings may be allowed between April 1 and May 21 and from October 1 to November 22 of each year after first having secured a permit therefore issued by the Imlay City Fire Department. The Fire Chief may alter dates due to weather conditions. An application for a permit shall be submitted not less than one business day before the intended open burning to allow pre-inspection of the proposed site by the Fire Department.
- e. Any violation of the conditions of a burning permit shall be deemed a violation of this Chapter and shall constitute a municipal civil infraction.

Sec. 94.14.10 – Liability. Owners of all property utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

#### **Sec. 94.15 – ENFORCEMENT AND PENALTIES**

- a. The Fire Chief, Imlay City Fire Department and Imlay City Police Department are authorized to enforce the provisions of this Chapter.
- b. Any person, firm, association, partnership, corporation, or governmental entity who violates any of the provisions of this Article or fails to comply with a duly authorized order issued pursuant to this Chapter shall be guilty of a municipal civil infraction.
- c. The violator shall pay costs which may include all expenses, direct and indirect, which Imlay City incurs in connection with the offense. In addition, Imlay City shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Chapter. Each day that a violation of this Chapter exists shall constitute a separate violation of this Chapter.

## **SECTION 2. REPEAL OF CONFLICTING PROVISIONS**

All resolutions, ordinances, or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

## **SECTION 3. SEVERABILITY**

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

## **SECTION 4. PUBLICATION**

This Ordinance, or a summary thereof, shall be published in a newspaper of general circulation within the City of Imlay City within fifteen (15) days after adoption.

## **SECTION 5. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon publication as set forth in Section 4.

## **CERTIFICATE OF MAYOR AND CITY CLERK**

We hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Commission of the City of Imlay City, Lapeer County, Michigan, at a meeting held on the 2<sup>nd</sup> day of September, 2025.

We hereby further certify that the following City Commission Members were present at the meeting: Mayor Barbara Yockey, Mayor Pro Tem Bob Tanis, Commissioner Tom Blount, Commissioner Stu Davis, Commissioner Joe DeLuca, Commissioner Al Ramirez, Commissioner Luke Stempien and the following City Commission Members were absent: None

We further certify that Commissioner Davis moved for the adoption of the Ordinance, and that motion was supported by Commissioner Stempien.

We further certify that the following City Commission Members voted for the adoption of the Ordinance:

### **ROLL CALL VOTE**

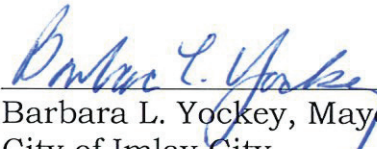
Ayes: Davis, Stempien, Ramirez, Tanis, Blount, DeLuca, Yockey

Nays: None

Absent: None

### **MOTION CARRIED UNANIMOUSLY**

**DATE: September 02, 2025**

  
\_\_\_\_\_  
Barbara L. Yockey, Mayor  
City of Imlay City

  
\_\_\_\_\_  
Dawn E. Sawicki-Franz, Clerk  
City of Imlay City

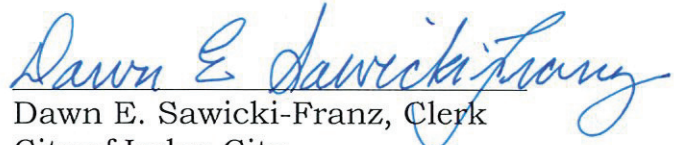
First Reading: August 19, 2025

Second Reading: September 02, 2025

Date of Publication: September 10, 2025

### **CERTIFICATE OF PUBLICATION**

I, Dawn Sawicki-Franz, the Clerk of the City of Imlay City do hereby certify that this Ordinance or a summary thereof was published in the Tri-City Times on September 10, 2025.

  
Dawn E. Sawicki-Franz, Clerk  
City of Imlay City