

The Charlevoix City Council met on Monday, February 18, 2019 with Mayor Luther Kurtz presiding. All Councilmembers were present. The following is an excerpt from the official records of said meeting:

**CITY OF CHARLEVOIX
ORDINANCE NO. 799 of 2019**

AN ORDINANCE ADOPTING, ENACTING, AND RECODIFYING THE CITY CODE FOR THE CITY OF CHARLEVOIX, MICHIGAN;
PROVIDING FOR THE MANNER OF AMENDING THE CODE; AND PROVIDING WHEN THE CODE AND THIS ORDINANCE SHALL
BECOME EFFECTIVE.

THE CITY OF CHARLEVOIX ORDAINS:

WHEREAS, the State of Michigan has authorized recodification as provided for in MCL 117.5b and the Acts of the Legislature of the State of empower and authorize the City of Charlevoix to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the City Council for the City of Charlevoix has authorized a general compilation, revision and codification of the ordinances of the Political Subdivision of a general and permanent nature and publication of such ordinance in book form.

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLEVOIX:

SECTION 1. The general ordinances of the Political Subdivision as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of the City of Charlevoix, Michigan."

SECTION 2. The Code entitled "Code of Ordinances, City of Charlevoix, Michigan," published by American Legal Publishing consisting of Sections 1.1 through 14.11, each inclusive, is adopted.

SECTION 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and re-ordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

SECTION 4. Such Code shall take effect and be deemed published as of the date that this Ordinance becomes effective under Michigan Law and the Clerk of the City of Charlevoix is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Clerk.

SECTION 5. All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved from repeal and may be consummated according to the law in force when they commenced or occurred. This ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this ordinance, or initiated after the effect date for an offense committed before such effective date.

SECTION 6. Ordinances adopted after February 4, 2019 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

SECTION 7. Effective Date: This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 799 was adopted on the 18th day of February, 2019 A.D., by the Charlevoix City Council as follows:

Motion by: Perron
Seconded by: Kalbfell
Yeas: Kalbfell, Bryan, Hagen, Perron, Oleksy, Cole
Nays: None
Absent: None

State of Michigan }
City of Charlevoix } §

Joyce M. Golding

Clerk

Luther Kurtz

Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 799 of 2019 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on February 18, 2019 and published in the *Charlevoix Courier* on February 22, 2019, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1876.

Dated: February 19, 2019

Joyce M. Golding, City Clerk