

ORDINANCE NO. 957

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE
SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF
MACKINAW TO PROVIDE AMENDMENTS REGARDING THE RESPONSIBILITIES OF THE
POLICE DEPARTMENT

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MACKINAW.

SECTION 1: § 136.09 of the Village Code of the Village of Mackinaw is hereby amended by deleting the phrase "Village Clerk" as it may appear and inserting in its place "any Officer of the Police Department".

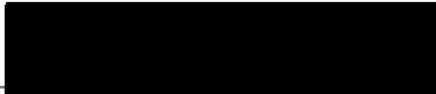
SECTION 2: § 136.10 of the Village Code of the Village of Mackinaw is hereby amended by deleting the phrase "Village Clerk" as it may appear and inserting in its place "any Officer of the Police Department".

SECTION 3: This Ordinance shall take effect 10 days after publication thereof as provided by law.

SECTION 4: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.


PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 8 day of January, 2018.

APPROVED:



Craig M. Friend – Village President

ATTEST:



Lisa Spencer – Village Clerk

AYES: 6
NAYS: 0
ABSENT: 0

§ 136.08 ACCUMULATIONS OF GARBAGE AND REFUSE.

The deposit and accumulation of garbage, refuse, debris, trash — both combustible and uncombustible, discarded household furnishings, junk machinery, junk vehicles [i.e., inoperable vehicles as defined in § 70.01], junk equipment or parts of junk machinery, junk vehicles or junk equipment on any property for longer than seven days is declared to be a nuisance and a public health and fire hazard; and it shall be unlawful for the owner or occupant of any lot or tract of land to permit any such material to be deposited or to accumulate on the lot or tract of land for longer than seven days as aforesaid.

(Ord. 252, passed 5-7-63) Penalty, § 136.99

§ 136.09 NOTICE.

It shall be the duty of the Village Clerk to serve or cause to be served by certified or registered mail a notice upon the owner or occupant of any premises on which material is accumulated in violation of the provisions of this chapter and to demand the immediate abatement of the nuisance.

(Ord. 252, passed 5-7-63)

§ 136.10 ABATEMENT BY VILLAGE.

If the owner or occupant, so served by the notice as set forth in § 136.08, does not abate the nuisance within three days following the mailing of the notice, the Village Clerk may proceed to abate the nuisance, keeping an account of the expense of the abatement, and the expense shall be charged to and paid by the owner or occupant.

(Ord. 252, passed 5-7-63)

§ 136.11 COVERING OR FENCING EXCAVATION OR BASEMENT.

(A) The corporate authorities of the Village of Mackinaw find and determine that unbarricaded, unfenced, and unsecured excavations of greater than 18 inches in depth, and partially completed but unfinished basements pose a threat to public safety. At all times, any excavation of greater than 18 inches in depth, and any partially completed basement shall be barricaded, fenced or secure in a method and manner compliant with the minimum standards set forth in this section. The obligation to fence, barricade or secure a partially completed basement shall terminate when the floor joists and subfloor are installed. The minimum requirements for fencing, barricading, or securing excavations or partially completed basements are as follows:

- (1) Fencing, barricades or barriers used shall be a minimum of 36 inches in height.
- (2) Fencing, barricades, or other barriers shall fully enclose and surround the excavation or uncompleted basement without any gaps, openings, or voids in the perimeter.
- (3) The fencing, barricades or other barriers shall not have any tears, rips, seams, or openings greater than one square foot in size.

(B) Plastic snow fencing installed securely with posts shall satisfy the minimum required standards under this section. Fencing, barricades or barriers shall be installed at the start of any excavation, or when construction begins on a basement and shall be maintained until excavation is completed and the excavation has been backfilled. The depth of the excavation shall be measured from the lowest point of the excavation to the prevailing grade immediately surrounding the excavation.

(Ord. 905, passed 10-26-15)