

**VILLAGE OF UBLY
LOCAL ORDINANCE**

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- #109 Long grass ordinance
- #110 Telecommunications ordinance
- #111 Adopted the U.T.C.
- #114 Adopted the Michigan motor vehicle code

ORDINANCE #47

An ordinance for the control of noxious weeds upon private property within the corporate limits of the Village of Ubly.

The Village of Ubly ordains:

Section 1 It shall be the duty of every owner, possessor or occupier of land within the Village of Ubly or every person or persons, firm or corporation having charge of any such lands, to cut, or cause to be cut down and destroyed all Canadian thistles, milkweed, wild carrots, oxeye daisies, or other noxious weeds growing thereon, at least twice in each year, once before June 15th and again, before August 15th, and as much oftener as may be necessary to prevent them from growing to seed, and either piled up and burned or removed to some place where refuse is ordinarily disposed of.

Section 2 Any owner, possessor, or occupier of land, within said Village of Ubly, or any person, or persons, firm or corporation having charge of such lands who shall fail to conform to the provision of Section 1, hereof shall upon conviction in any Court of competent jurisdiction be liable to a fine of not more than \$100.00, and cost of prosecution, for every such offense, and in default of payment thereof, may be confined to the Huron County jail for a period of not to exceed 90 days.

Section 3 In case the owner, possessor, or occupier of land, or the person, firm or corporation in charge thereof, shall refuse or neglect to comply with the provisions of the Ordinance, within the time limited therefore, the Village Clerk shall serve, personally or by certified mail, return receipt demanded, a copy of this Ordinance, together with a notice to said owner, possessor or occupier of such premises to cut or cause to be cut and destroyed all said noxious weeds herein enumerated, within a period of 15 days from and after service of such notice.

Section 4 In case such owner, possessor or occupier shall fail to conform with the provisions of this Ordinance within the time limited therefore in said notice, served as aforesaid, it shall be the duty of the Commissioner of the Streets to cause all of said noxious weed to be cut down, and said Commissioner shall keep an account of expense incurred in carrying out this provision, with respect to each parcel land entered upon therefore and shall file a sworn statement of said account and present same to the Village Council, and the said Council shall audit and allow such account and order same paid from the general fund of the Village.

Section 5 Any expense incurred by the village in the cutting and destroying of said noxious weeds under the authority of this Ordinance shall be a debt due from the owner, occupier and user of the premises from which said weeds were cut and removed and/or destroyed, and may be recovered by the Village in the above remedy for the recovery of such expense, the Village Council may charge the same or such part thereof as it may deem proper, upon the lot or premises upon or account of which such expense was incurred, and cause same to be assessed upon the lot or premises and collected as a special assessment.

Section 6 This Ordinance shall take effect 21 days after its passage. Passed and adopted the 1st day of February, 1979.

Earl L. Longuski
Village President

Christopher J. Tyll
Village Clerk

ORDINANCE #51

An ordinance to prohibit racing and exhibition driving and the throwing of objects from or at vehicles.

The Village of Ubyl ordains:

Section 1 Drag racing and exhibition driving: Any person who engages in any motor vehicle race, drag race, or exhibition of speed or acceleration on any public street, or aids or abets another to do so, whether or not the authorized speed limit is exceeded and whether or not conditions of competition exist, shall be guilty of a misdemeanor.

Section 2 Throwing or dropping objects from or at vehicles: It shall be unlawful for any person to cause any objects or substances to be thrown or dropped from, at, or upon any vehicle, pedestrian, traffic signal, sign, or street light, or upon the roadway, parkway, sidewalks or private property adjacent to any roadway, or to aid, assist, or abet another to do so. Any person violating this section shall be guilty of a misdemeanor.

Section 3 Penalty: Any person violating any of the provisions of this Ordinance shall on conviction thereof be punished by a fine of \$75.00 or by imprisonment in the Huron County Jail for a term not exceeding 30 days or by both such fine and imprisonment at the discretion of the court.

Section 4 Effective Ordinance: The provisions of this Ordinance are declared to be severable and if any clause, sentence, paragraph or section is declared void or inoperable for any reason by a court of jurisdiction, it shall not effect any other part or portion thereof.

Section 5 This Ordinance shall take effect 21 days after its passage and adoption by the Village Council of the Village of Ubyl. Passed and adopted the 7th day of August, 1980.

Earl Longuski
Village President

Christopher J. Tyll
Village Clerk

ORDINANCE #53

An Ordinance regulating the presence of minors under the age of 17 years in public places and other places in the Village of Ubly, between the hours of 11:00 P.M. and 5:00 A.M. And defining the duties of parents and other persons having charge of such minors and providing penalties for violation thereof.

The Village of Ubly ordains:

Section 1 Minors, unlawful acts, and prohibited hours: That it shall be unlawful for any minor under the age of 17 years to loiter, idle, wander, stroll, frequent or otherwise be in or upon any of the public sidewalks, streets, alleys, parks or public buildings or places of amusement or entertainment or other public grounds or places in the Village of Ubly between the hours of 11:00 P.M. and 5:00 A.M. immediately following unless such minor is accompanied by a parent, guardian, custodian, or some adult delegated by the parent or guardian to accompany such minor, or unless such minor is in the performance of an errand or duty directed by such parent, guardian or custodian, or unless such minor is returning home from a school or church function or entertainment, or unless the employment of such minor makes it necessary to be on the streets, alleys or other public places during the prohibited hours hereinabove mentioned.

Section 2 Parents, guardians, and responsibilities: It shall be unlawful for the parent, guardian, custodian or other person having the legal care and custody of any minor under the age of 17 years to allow or permit any such minor to loiter, idle, stroll, frequent or otherwise be or remain in or upon any of the public sidewalks, streets, alleys, parks or public buildings or places of amusement or entertainment, or other public grounds or places in the Village of Ubly, during the prohibited hours mentioned in Section 1 hereof unless such presence of a minor shall fall within one of the exceptions mentioned in Section 1 hereof.

Section 3 Aiding and abetting. Any person assisting, aiding, abetting or encouraging any minor under the age of 17 years to violate the provisions of this Ordinance shall be guilty of a violation of this Ordinance.

Section 4 Parents, guardians, violations, and penalties: Any parent, guardian, custodian, or other person having the legal care and custody of any minor under the age of 17 years violating any of the provisions of this Ordinance shall upon conviction thereof, be punished by a fine of not less than \$5.00 nor more than \$100.00 together with cost of prosecution, or by imprisonment in the Huron County Jail, for a period not to exceed 30 days or both such fine, costs and imprisonment in the discretion of the Court.

Section 5 Minors, police officers, taking into custody: Police Officers may in their discretion take into custody any minor under the age of 17 years of age found violating the provisions of this Ordinance and return him or her to his or her home or place of abode, or may make a complaint against such minor under the Juvenile Law of this State.

Section 6 Ordinance, declared public necessity: This Ordinance is and is hereby declared to be necessary for the preservation of the public peace, property, health and

safety, for the protection of the morals and welfare of minors, and to curtail increasing juvenile delinquency.

Section 7 Invalidity: Should any portion of this Ordinance be declared invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

Section 8 Repeal: All Ordinances or parts of Ordinances inconsistent or conflicting with any of the provisions of this Ordinance are hereby repealed.

Section 9 Effective date: The provisions of this Ordinance shall take effect and be in full force 20 days after its first publication. Adopted September 4th, 1980.

Earl Longuski
Village President

Christopher J. Tyll
Village Clerk

ORDINANCE #54

An Ordinance to regulate storing or keeping of junk.

The Village of Ubly, Huron County, Michigan ordains:

Section 1 The term junk shall be defined as: scrap metals, wholly or partially dismantled motor vehicles, obsolete or inoperative machinery, and the parts or pieces of any motor vehicle or machine including horse drawn or self-propelled.

Section 2 No person, firm or corporation within the Village of Ubly shall keep on public or private property within the limits of the Village of Ubly such junk, as defined, unless same shall be wholly enclosed within a building and out of sight. Such “junk” shall not be left in any public or private yard, driveway, lawn or premises.

Section 3 Any person violating any of the provisions of this Ordinance shall be punished by a fine of not exceeding \$100.00 or by imprisonment in the Huron County Jail not exceeding 90 days, or by both such fine and imprisonment in the discretion of the court trying the offender.

Section 4 Should any portion of this Ordinance be declared invalid for any reason, the remainder of the Ordinance shall not be affected thereby.

Section 5 All Ordinances or parts of Ordinances inconsistent or conflicting with any of the provisions of this Ordinance are hereby repealed.

Section 6 The provisions of this Ordinance shall take effect and be in full force 20 days after its first publication. Adopted November 6th, 1980.

Earl Longuski
Village President

Christopher J. Tyll
Village Clerk

ORDINANCE #55

An Ordinance to adopt by reference the Uniform Traffic Code for Michigan cities, townships and villages.

The Village of Ubly Ordains:

Section 1 Code adopted: The Uniform Traffic Code for cities, townships and villages promulgated by the Director of State Police and published in the 1979 edition of the Michigan Administrative Code and amendments as published in the Quarterly Supplement #5 to the 1979 edition of the Michigan Administrative Code, in accordance with Public Act 62 of 1956, State of Michigan, is hereby adopted by reference as in this Ordinance modified.

Section 2 References in code: References in the Uniform Traffic Code for Michigan cities, townships and villages to “governmental unit” shall mean the Village of Ubly.

Section 3 Notice to be published: The Village Clerk shall publish this Ordinance in the manner required by law and shall at the same time publish a supplementary notice setting forth the purpose of the said Uniform Traffic Code and of the fact that a complete copy of the Code is available at the Office of the Clerk for inspection by the public at all times.

Section 4 Conflicting Ordinances repealed: Ordinance #49 adopted September 5th, 1979, relating to traffic is hereby specifically repealed. All other Ordinances inconsistent with the provisions of the Uniform Traffic Code are, to the extent of such inconsistency, hereby repealed.

Section 5 Effective date: The Uniform Traffic Code will be in effect in this governmental unit 20 days after the passage of this adopting Ordinance. Adopted August 6th, 1981.

Village President

Christopher J. Tyll
Village Clerk

Notice of adoption of Uniform Traffic Code

Notice is hereby given that pursuant to the provisions of Act 62 of the Public Acts of 1956, State of Michigan, the Uniform Traffic Code for cities, townships and villages was adopted by reference by the Village Council of the Village of Ubly on the 6th day of August, 1981.

The purpose of such Code is to regulate the operation of vehicles to provide for the regulation and use of street, highways and alleys and other public and semi-public places within the Village of Ubly and to provide penalties for the violation of said Code.

A complete copy of the Uniform Traffic Code is available at the office of the Village Clerk for inspection by the public at all times.

No further or additional publication of the Uniform Traffic Code is required or contemplated. Dated August 6th, 1981.

Christopher J. Tyll
Village Clerk

ORDINANCE #57

An Ordinance to prohibit racing and exhibition driving and the throwing of objects from or at vehicles.

The Village of Ubly, Huron County, Michigan, ordains:

Section 1 Any person who engages in any motor vehicle race, drag race, or exhibition of speed or acceleration on any public street, or aids or abets another to do so, whether or not the authorized speed limit is exceeded and whether or not conditions of competition exist, shall be guilty of a civil infraction.

Section 2 It shall be unlawful for any person to cause any objects or substances to be thrown or dropped from, at, or upon the roadway, parkway, sidewalks or private property adjacent to any roadway, or to aid, assist, or abet another to do so. Any person violating this section shall be guilty of a civil infraction.

Section 3 Any person violating any of the provisions of this Ordinance shall on conviction thereof be punishable by a fine of not more than \$75.00 at the discretion of the court.

Section 4 Should any portion of this Ordinance be declared invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

Section 5 All Ordinances or parts of Ordinances inconsistent or conflicting with any of the provisions of this Ordinance are hereby repealed.

Section 6 The provisions of this Ordinance shall take effect and be in full force 20 days after its first publication. Adopted December 2nd, 1982.

Earl Longuski
Village President

Christopher J. Tyll
Village Clerk

ORDINANCE #58

P.B.T. use adopted.

The Village of Ubly ordains:

Section 1 A village police officer who has reasonable cause to believe that a person was operating a vehicle upon a public highway or other place open to the general public, including an area designated for parking of vehicles, in the Village of Ubly, and that the person by the consumption of intoxicating liquor may have affected his or her ability to operate a vehicle, may require the person to submit to a preliminary chemical breath analysis.

Section 2 A village police officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis.

Section 3 The results of a preliminary chemical breath analysis shall be admissible in a criminal prosecution for a crime enumerated in MCL S257.625a(1), MSA S9.2325(1), or in an administrative hearing under MCL S257.625f, MSA S9.2325(6), solely to assist the court or hearing officer in determining a challenge to the validity of an arrest. This section does not limit the introduction of other competent evidence offered to establish the validity of an arrest.

Section 4 A person who submits to a preliminary chemical breath analysis shall remain subject to the requirements of MCL S257.625a, MSA S9.2325(1); MCL S257.625c, MSA S9.2325(3); MCL S257.625d, MSA S9.2325(4); MCL S257.625e, MSA S9.2325(5), and MCL S257.625f, MSA S9.2325(6) for the purpose of chemical tests described in those sections.

Section 5 A person who refuses to submit to a preliminary chemical breath analysis upon a lawful request by a village police officer is responsible for a civil infraction.

Section 6 MCL S257.625g, MSA S9.2325(7) shall apply to a preliminary chemical breath analysis.

Section 7 This Ordinance shall take effect in this governmental unit on April 1st, 1983.

Earl L. Longuski
Village President

Christopher J. Tyll
Village Clerk

ORDINANCE #60

Disorderly person; an Ordinance to preserve the public peace.

The Village of Ubyly ordains:

Section 1 Definition: A person is a disorderly person if the person is any of the following:

1. A person of sufficient ability who refuses or neglects to support his or her family.

2. A common prostitute.

3. A window peeper.

4. A person who engages in an illegal occupation or business.

5. A person who is intoxicated in a public place and who is either endangering directly the safety of another person or of property or is acting in a manner that causes a public disturbance.

6. A person who engages in indecent or obscene conduct in a public place.

7. A vagrant.

8. A person found begging in a public place.

9. A person found loitering in a house of ill fame or prostitution or place where prostitution or lewdness is practiced, encouraged or allowed.

10. A person who knowingly loiters in or about a place where an illegal occupation or business is being conducted.

11. A person who loiters in or about a police station, police headquarters building, county jail, hospital, court building, or other public building or place for the purpose of soliciting employment or legal services or the services of sureties upon criminal recognizance's

12. A person who is found jostling or roughly crowding people unnecessarily in a public place.

13. A person who is found with any stolen property.

14. A person who shall by word or conduct commit such act or acts, as may cause civil commotion, or cause or be likely to cause injury to public or private property, or to life of person of another.

15. Any person who shall throw or cause to be thrown any missile, likely to cause bodily injury, or property damage.

16. A person who uses any light or flare, on an automobile or otherwise, in such a manner as to cause annoyance to others or be likely to endanger life or property.

Section 2 Indecent language: No person shall use indecent, immoral, obscene, vulgar or insulting language in the presence of any woman or child.

Section 3 Indecent exposure: No person shall exhibit himself in any place of entertainment or in any public place, nude or indecently clad; no person shall indulge in any indecent, immoral or suggestive conduct in such places; no person shall designedly make any open or indecent exposure of his person, or of the person of another.

Section 4 Obscene literature, devices and shows:

1. No person shall print, publish, show, sell or offer for sale, exhibit or otherwise dispose of any printed matter, pictures or devices containing indecent or obscene language or pictures, which by the context thereof or purpose thereof tends to corrupt public morals; nor shall any person have in his possession any such articles.

2. No person shall show, or cause to be shown, any show, or pictures, whether a personal performance or by mechanical means, which is immoral, obscene or suggestive; or which tends to corrupt the public morals.

Section 5 Fortune telling: No person shall, for consideration, predict future events, or pretend to enable another to recover lost or stolen property, give success in business, enterprise, speculation or games of chance, or to make one person to dispose of property in favor of another, by cards, tokens, trances, by inspection of the hands or the skull, by mind reading, or by consulting the movements of the heavenly bodies, or by other means.

Section 6 Gambling and lotteries:

1. No person or his agent or employee shall, directly or indirectly take, receive or accept, money or valuable thing, with the agreement, understanding or allegation, that money or any valuable thing will be paid or delivered to any such person where such payment or delivery is contingent upon the result of a race, contest, game or the happening of an event not known to the parties to be certain.

2. No person shall keep any device used for the purpose in paragraph (1) mentioned.

3. No person shall use, own or let any place or property and shall knowingly suffer acts forbidden under paragraph (1).

4. No person shall assist, solicit or advertise for, or occupy any place wherein acts forbidden under paragraph (1) are conducted.

5. In addition to other penalties hereinafter provided, the Police Department may seize and destroy devices in paragraph (2) mentioned.

Section 7 Furnishing intoxicating liquor:

1. No person shall knowingly sell, give or furnish liquor or beer to any drunk or intoxicated person, or disorderly person.

2. No person shall sell, give or furnish alcoholic liquor or beer under the age of 21 years.

Section 8 Crowds and riots, public address:

1. No person shall make or assist in making any improper noise or disturbance, quarrel or riot by which the peace and order of the community are disturbed; nor shall any person or persons collect or stand in crowds, or remain loitering on the public ways, or other places so as to interfere with free and uninterrupted passage of other persons.

2. No person or persons shall address the public, either personally or by mechanical means, either by word, music or other means, upon any public way, or place, except in such places designated by Village Council, or by written permission from the Village President or the Chief of Police.

3. No person shall disrupt or aid in disrupting in any manner, any service of worship, or any other assembled for lawful purposes.

4. No person shall shoot any air gun, spring gun, cross bow or firearm, or other dangerous weapon or instrument in the Village of Ubyly.

5. No person shall explode, any fireworks, cannon or other instrument set forth in Section 243 of the Penal Code of the State of Michigan as amended by Act 92 Public Acts 1941, unless the terms and conditions thereof have been first compiled with; and no person shall sell, or expose for sale such fireworks or other instruments above mentioned.

6. No person shall ring any bell, blow any horn or operate any other noise-making device, or by mouth or voice make sounds and noises causing annoyance to others, or be likely to annoy or disturb others.

Section 9 Penalties: Any person, firm or corporation convicted of violating any provisions of this Ordinance or be convicted of being a disorderly person under the provisions of the same shall be guilty of a misdemeanor and shall be punished by a fine of not to exceed one hundred (\$100.00) dollars or by imprisonment in the County or Municipal Jail for a period of not to exceed ninety (90) days or both, such fine and imprisonment in the discretion of the Court.

Section 10 Invalidity: Should any portion of this Ordinance be declared invalid for any reason, the remainder of the Ordinance shall not be affected thereby.

This Ordinance shall take effect 21 days from the date of its passage, dated February 2nd, 1984.

Village President

Christopher Tyll
Village Clerk