

CHIKAMING TOWNSHIP

ORDINANCE NO. 38
Adopted October 11, 1979

AN ORDINANCE REGULATING POOLROOMS, DANCE-HALLS AND BOWLING ALLEYS IN CHIKAMING TOWNSHIP, BERRIEN COUNTY, MICHIGAN: TO PROVIDE FOR THE LICENSING THEREOF AND PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

THE TOWNSHIP OF CHIKAMING, ORDAINS:

Section 1. No public billiard or poolroom, dance-hall or bowling alley shall be established, maintained or conducted in any place within Chikaming Township without first obtaining a permit from the Chikaming Township Board.

Section 2. No person shall be granted a permit under the provisions of this Ordinance who is under the age of eighteen (18) years of age and who has not resided within the State of Michigan for a period of at least one (1) year prior to the application for such permit; nor shall any permit be granted to any person who has been convicted of any crime involving moral turpitude.

Section 3. That any person, firm or corporation desiring or intending to operate such an establishment for profit in the Township of Chikaming shall file a written application for a license with the Township Clerk. The applicant shall state the location of the proposed establishment, the name of the owners of such establishment or any other persons having a proprietary interest therein, and name, age and place of residence of any and all persons who are actively engaged in the management thereof. Such application shall be signed by the prospective licensee and there shall also be paid and remitted with such application the sum of Five and 00/100 (\$5.00) Dollars which sum shall be the annual license fee for all licenses required hereunder.

Section 4. Upon receipt of such application and remittance the Township Clerk shall forthwith refer the application to the Township Chief of Police who shall make a personal inspection of the premises and determine whether or not the facts alleged in the application are true and note his findings on said application. The Township Chief of Police shall also investigate the general reputation and character of the applicant and note his findings on the application. Upon the return of the application by the Township Chief of Police, the Township Clerk shall present the same to the Township Board at its next regular meeting, or at a special meeting held for that purpose, and the Township Board shall, by a majority vote of the members present and voting, either approve or disapprove the application for granting of the license.

Section 5. That upon issue of the license as hereinabove provided, the licensee shall then be permitted to operate the establishment licensed under said application and that such license shall at all times be openly displayed in the licensed establishment.

Section 6. That all licenses issued hereunder shall expire on January 1 of each year but shall be renewed automatically by the Township Clerk upon the payment to her of the annual license fee of \$5.00 by a licensee on or before the aforesaid expiration date. Upon receipt of which payment the Clerk shall issue a new license

for the ensuing year; provided, however, not later than December 1st of the year preceding the expiration of any license, the Township Chief of Police shall make an inspection of all establishments for which applications for renewal licenses are pending and make a written report to the Township Board as to the lawful operation of such establishments. The Township Board by a majority vote of its members present and voting may revoke any existing license or deny the granting of any application for a renewal of any license for good cause shown after notice to the owner of licensee and a public hearing held pursuant to the statutes in such cases made and provided.

Section 7. No alcoholic beverages or controlled substances shall be used or sold in any such establishment or anywhere on the premises on which such establishment is situated at any time and no gambling or gambling devices shall be conducted or permitted in such establishment at any time. Provided, however, the sale of alcoholic beverages shall not be prohibited in those establishments licensed and controlled by the Michigan Liquor Control Commission.

Section 8. Any person, firm or corporation who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be subject to a fine of not exceeding \$500 or imprisonment in the County jail for a period not to exceed ninety (90) days or both such fine and/or imprisonment in the discretion of the Court. For the purpose of this ordinance, each day a violation shall continue shall be deemed to be a separate offense.

Section 9. All sections of this Ordinance shall be deemed to be separate and independent and the invalidity of any section or provision hereof shall not affect the remaining sections.

Section 10. That all existing establishments within the Township of Chikaming coming under the provisions of this Ordinance shall have 45 days from and after the effective date of this ordinance in which to apply for and obtain a license as hereinabove provided.

Section 11. That the provisions of this Ordinance shall not apply to any fraternal, religious or other organization which maintains billiard or pool tables, dance halls, or bowling alleys for the use of their members and merely incidental to the principal activities of such an organization. Provided further, any business establishment that has not more than one pool table the use of which is incidental to its principal business shall be exempt from the provisions of this Ordinance.

Section 12. This Ordinance was enacted by the Township Board of the Township of Chikaming at a regular meeting held on the 11th day of October, 1979, in order to be made effective 30 days after its publication.

Jeanne Dudeck
Jeanne Dudeck, Clerk
Chikaming Township

Approved:

Dennis Scheer
Dennis Scheer, Supervisor
Chikaming Township

CERTIFICATION

This is to certify that the foregoing Ordinance No. 38 was adopted by the Chikaming Township Board at a regular meeting held at the

Township Hall in the Village of Lakeside on the 11th day of October,
1979, Said Ordinance was ordered to be made effective 30 days after its publi-
cation. The vote on the foregoing ordinance was as follows:

AYES: Sperry, Sandtveit, Dudeck and Scheer

_____.

NAYS: _____

_____.

The aforesaid Ordinance was published in the Galien River Gazette on the
18 day of October, 1979.

Jeanne Dudeck
Jeanne Dudeck, Clerk
Chikaming Township

That the names of the Township Board members and their vote on the adoption of the foregoing ordinance were, as follows:

	Yes	No
<u>H. Seeder</u>	<u>✓</u>	<u> </u>
<u>V. Sperry</u>	<u>✓</u>	<u> </u>
<u>J. Gibson</u>	<u>✓</u>	<u> </u>
<u>P. Harrington</u>	<u>✓</u>	<u> </u>
<u>L. Abrahamsen</u>	<u>✓</u>	<u> </u>

I further certify that the foregoing ordinance was published in the Herald-Press of St. Joseph, Michigan on the 12th day of October, 1974 and ordered to be made effective immediately.

Lena Abrahamsen
Lena Abrahamsen, Clerk
Chikaming Township

CERTIFICATION

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 39 of Chikaming Township, adopted September 13, 1979.

At a regular meeting of the Chikaming Township Board held on the 13th day of September, 1979, a resolution that the aforesaid Ordinance be enacted was made by Arthur Sandtveit and supported by Jack Gibson. The names of the Township Board Members and their vote on the adoption of the foregoing Ordinance were as follows:

<u>NAME</u>	<u>YES</u>	<u>NO</u>
Gibson	x	
Sandtveit	x	
Sperry	x	
Dudeck	x	
Scheer	x	

I hereby certify that the foregoing Ordinance was published in Salin River Gazette of Three Oaks, Michigan on the 20th day of September, 1979.

Jeanne Dudeck
Jeanne Dudeck, Clerk
Chikaming Township