

TITLE IX: GENERAL REGULATIONS

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CHAPTER 90: FIRE PREVENTION AND PROTECTION

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GENERAL PROVISIONS

§ 90.01 BURNING REFUSE MATERIAL.

No person or persons shall dispose of by burning any waste paper, boxes, wood or refuse material within or on the streets and alleys of the City of Standish.

(Ord. 23, passed 11-22-1905) Penalty, see § 10.99

FIRE DETECTION DEVICES

§ 90.20 REQUIREMENT.

It shall be the responsibility of the owner of each new and existing rental dwelling described hereinafter as guest house, lodging house, boarding house, apartment, suite or single room of a hotel or motel to install a smoke detector in a sleeping area of the referenced unit.

(Ord. 167, passed 4-21-86)

§ 90.21 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DWELLING. A single or multifamily unit, including single family, multifamily, guest house, lodging house, boarding house, apartment, suite or single room of a hotel or motel providing living facilities for one or more persons, including permanent or temporary provisions for living, sleeping, cooking, eating and sanitation.

JURISDICTION. The governmental unit which has adopted this subchapter under due legislative authority.

SMOKE ALARM OR DETECTOR. A device capable of sensing visible or invisible particles of combustion and providing a suitable audible alarm thereof.

OWNER. Any person who alone, jointly or severally with others shall have legal title to any building, structure or premises with or without accompanying actual possession thereof and shall include the duly authorized agent or attorney, a purchaser, devisee, fiduciary and any person having a vested or contingent interest in the property in question.
(Ord. 167, passed 4-21-86)

§ 90.22 PROTECTION.

(A) At least one smoke detector shall be installed to protect each sleeping area. A sleeping area is defined as the area or areas of the family living unit in which the bedrooms (or sleeping rooms) are located. Where bedrooms or rooms ordinarily used for sleeping are separated by other use areas (such as kitchens or living rooms, but not bathroom or closets), they shall be considered as separate sleeping areas for the purpose of this section.

(B) At least one smoke detector shall be installed at the head (top) of each stairway leading up to an occupied area in such a manner as to assure that rising smoke is not obstructed in reaching the detector and that the detector intercepts rising smoke before it reaches the sleeping area.
(Ord. 167, passed 4-21-86)

§ 90.23 ALTERNATIVE.

As an alternative to self-contained smoke detectors, an approved fire detection system may be installed and maintained. Each fire detection system must be individually approved and a permit issued therefore by the Fire Chief or his or her designee.
(Ord. 167, passed 4-21-86)

§ 90.24 EQUIPMENT.

All devices, combinations of devices and equipment shall be installed in conformity with this subchapter and will be listed or labeled by a national testing laboratory for the purpose of which they were intended.

(Ord. 167, passed 4-21-86)

§ 90.25 POWER SUPPLIES.

All smoke detectors shall be wired directly (hard wired) to the building's electrical power supply that is not controlled by a switch other than the main power supply. Other smoke detectors may be alarms which meet the requirements of § 90.25.

(Ord. 167, passed 4-21-86)

§ 90.26 BATTERY AND PLUG-IN SMOKE DETECTORS, CONDITIONS OF USE.

(A) Electric, plug-in smoke detectors may be used and operated from a wall plug, provided that the plug is fitted with a plug restraining device and providing that the wall outlet power supply is not controlled by a switch other than the main power supply.

(B) Battery type smoke detectors may be used, providing that the batteries are mounted to assure that the following conditions are met:

- (1) All power requirements are met for at least one year's life, including weekly testing;
- (2) A distinctive audible trouble signal is given before the battery is incapable of operating (from aging, terminal corrosion and the like) the device for alarm purposes;
- (3) For a unit employing a lock-in alarm feature, automatic transfer is provided from alarm to a trouble condition;
- (4) The unit is capable of producing an alarm signal or audible trouble signal at least once every minute for seven consecutive days;
- (5) The monitored batteries meeting these specifications are clearly identified on the unit near the battery compartment.

(Ord. 167, passed 4-21-86)

§ 90.27 ENFORCEMENT.

The Chief of Police, Fire Chief or any designee of the City of Standish shall have the power and authority to inspect, recommend and enforce all provisions of this subchapter. No owner or occupant shall in any manner alter, change, disrupt or neglect any approved smoke detection device without prior notification to the Chief of Police, Fire Chief or any designee of the City of Standish. Upon written notification of at least 30 days, city officials may at their discretion enter such premises to inspect such devices to insure compliance.

(Ord. 167, passed 4-21-86)

CHAPTER 91: RETAIL FOOD ESTABLISHMENTS

Section

- 91.01 Definitions
- 91.02 Permit required
- 91.03 Examination and condemnation of unwholesome or adulterated food or drink
- 91.04 Inspection
- 91.05 Sanitation requirements
- 91.06 Restaurants and retail food establishments which may operate
- 91.07 Reinstatement of permit
- 91.08 Permit fee
- 91.09 Disease control
- 91.10 Procedure when inspection suspected
- 91.11 Enforcement

§ 91.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

EMPLOYEES. Any person who handles food or drink during preparation, serving or delivery on sale handles the utensils in preparation for the serving, cooking, selling or delivering of food or is employed in a room where food or drink is prepared, served or sold.

HEALTH OFFICER. The Tri-County Health Officer, State Health Officer or City Health Officer.

ITINERANT FOOD ESTABLISHMENTS. One operating for a temporary period in connection with a fair, carnival, circus, public exhibition or other similar gathering.

RESTAURANT. Any establishment where food and/or drink are sold and includes kitchens where such food or drink is prepared.

RETAIL FOOD ESTABLISHMENT. Bakeries, groceries, meat, fish or poultry markets, confectionaries, fruit and vegetable shops, locker plants and soft drink dispensaries.
(Ord. 121, passed - -)

§ 91.02 PERMIT REQUIRED.

It shall be unlawful for a person to operate a restaurant or drinking establishment, itinerant restaurant or retail food establishment in the City of Standish who does not possess an unrevoked permit from the Health Officer. The permit shall be posted in a conspicuous place. Only persons who comply with the requirements of this chapter shall be entitled to receive and retain such permit. The permit may be temporarily suspended by the Health Officer upon the violation of the holder of any of the terms of this chapter or revoked after an opportunity for a hearing by the Health Officer upon serious or repeated violations.

(Ord. 121, passed - -) Penalty, see § 10.99

§ 91.03 EXAMINATION AND CONDEMNATION OF UNWHOLESOME OR ADULTERATED FOOD OR DRINK.

Sample of food, drink or other substance may be taken and examined by the Health Officer as often as may be necessary for the detection of unwholesomeness or adulteration. The Health Officer may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink, which is unwholesome or adulterated.

(Ord. 121, passed - -)

§ 91.04 INSPECTION.

At least once every six months the Health Officer shall inspect every restaurant, eating or drinking establishment and retail food establishment located within the City of Standish. In case the Health Officer discovers the violation of any item of sanitation required, then he or she shall make a second inspection after the lapse of such time as he or she deems necessary for the defect to be remedied, and the second inspection shall call for immediate suspension of permit. The person operating the establishment shall, upon request of the Health Officer, permit access to all parts of the establishment and shall permit copying any or all records of food purchased.

(Ord. 121, passed - -)

§ 91.05 SANITATION REQUIREMENTS.

(A) *Floors.* Floors shall be of such construction as to be easily cleaned, shall be smooth and shall be kept clean and in good repair.

(B) *Walls and ceilings.* Walls and ceilings of all rooms shall be kept clean and in good repair. The walls of all rooms in which food or drink is prepared or utensils are washed shall have a smooth, washable surface up to the level reached by splash or spray.

(C) *Doors and windows.* When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

(D) *Lighting and ventilation.* All rooms in which food or drink is stored or prepared or served shall be well lighted and well ventilated.

(E) *Toilet facilities.* Every establishment shall be provided with adequate and conveniently located toilet facilities for its employees and shall not open directly into any room in which food, drink or utensils are handled or stored. Toilet facilities shall be kept in a clear condition and in good repair and in conformity with the standards of the State Board of Health.

(F) *Lavatory facilities.* Adequate and convenient hand-washing facilities shall be provided with soap and approved sanitary towels. No employee shall resume work after using the toilet room without first washing his or her hands.

(G) *Cleaning and bactericidal treatment of utensils and equipment.* All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods and sinks shall be kept clean and free from dust, dirt, insects and other contaminating material. All cloths used by waiters, chefs, clerks and other employees shall be clean. Single-service containers shall be used only once. All multi-use equipment shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. Drying cloths, if used, shall be clean and shall be used for no other purpose. No article, polish or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of utensils and equipment.

(H) *Disposal of wastes.* All wastes shall be properly disposed of and all garbage and trash shall be kept in suitable receptacles in such manner as not to become a nuisance.

(I) *Refrigeration.* All readily perishable food and drink shall be kept at or below 50°F, except when being prepared or served or offered for sale. Waste water from refrigeration equipment shall be properly disposed of.

(J) *Wholesomeness of food and drink.* All food and drink shall be clean, wholesome, free from spoilage and prepared and maintained in such manner as to be safe for human consumption.

(K) *Storage, display and serving of food and drink.* All food and drink shall be so stored, displayed and served as to be protected from dust, flies, vermin, depredation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared, stored or displayed.

(L) *Cleanliness of employees.* All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment.

(M) *Miscellaneous*. The premises of all establishments shall be kept clean and free of litter or rubbish.

(Ord. 121, passed - -)

§ 91.06 RESTAURANTS AND RETAIL FOOD ESTABLISHMENTS WHICH MAY OPERATE.

From and after 12 months from the date on which this chapter takes effect no restaurant or retail food establishment shall be operated within the City of Standish, unless it conforms with the requirements of this chapter; provided, that when any restaurant or retail food establishment fails to qualify, the Health Officer is authorized to suspend the permit.

(Ord. 121, passed - -)

§ 91.07 REINSTATEMENT OF PERMIT.

Any restaurant or retail food establishment, the permit of which has been suspended, may at any time make application for the reinstatement of the permit. Within one week after the receipt of a satisfactory application, accompanied by a statement signed by the applicant to the effect that the violated provision or provisions of this chapter have been conformed with, the Health Officer may make a reinspection, and thereafter as many additional reinspections as he or she may deem necessary to assure himself or herself that the applicant is again complying with the requirements and, in case the findings indicate compliance, shall reinstate the permit.

(Ord. 121, passed - -)

§ 91.08 PERMIT FEE.

All permits shall be issued upon the recommendation of the Health Officer and through the office of the City Clerk, Standish, Michigan, on payment of a permit fee of \$3.

(Ord. 121, passed - -)

§ 91.09 DISEASE CONTROL.

(A) No person who is affected with any disease in a communicable form or is a carrier of such disease shall work in any restaurant or food establishment as defined in § 91.01.

(B) All employers shall be responsible for the following:

(1) All employees have health cards prior to beginning of work;

(2) All employees shall have a health card in their possession at all times while on duty showing that they have passed a physical examination which shall include a chest x-ray for Tuberculosis, blood test for venereal disease and a stool examination for Salmonella, when indicated;

(3) Any employer who suspects that any employee has contracted any disease in a communicable form or has become a carrier of such disease shall notify the Health Officer immediately. (Ord. 121, passed - -)

§ 91.10 PROCEDURE WHEN INSPECTION SUSPECTED.

When suspicion arises as to the possibility of transmission of infection from any employee under this Act, the Health Officer is authorized to require any and all of the following measures:

- (A) The immediate exclusion of the employee from all restaurants or other food establishments;
 - (B) The immediate closing of any restaurant or other food establishment concerned until further danger of disease outbreak exists, in the opinion of the Health Officer;
 - (C) Adequate medical examinations of the employees and of his or her associates with such laboratory examinations as may be indicated.
- (Ord. 121, passed - -)

§ 91.11 ENFORCEMENT.

This chapter shall be enforced by the Health Officer in accordance with the interpretations thereof contained in the 1943 Edition of the U.S. Public Health Service Code Regulating Eating or Drinking and Other Food Handling Establishments, a certified copy of which shall be on file at the City Clerk's office. (Ord. 121, passed - -)

CHAPTER 92: ANIMALS

Section

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REGULATIONS

§ 92.01 COLLARS OR HARNESS REQUIRED.

It shall be unlawful for any person, firm or corporation to own, keep, possess, harbor or have the care or charge of any dog, male or female, of the age of three months or over within the City of Standish, unless the dog shall wear a collar or harness to which is attached a current year license tag issued pursuant to Public Act 339 of 1919, as amended; provided, that this chapter, in so far as it relates to license requirements, shall not apply to any person, firm or corporation transporting a dog through the City of Standish if such dog shall be licensed under a then valid license issued at the place of residence of the owner or keeper of the dog. Any person, firm or corporation in possession of any dog, or who shall permit any dog to remain about his or her premises or to be fed within his or her house,

store, building, enclosure or premises, during a period of five consecutive days, shall be deemed to be harboring such dog, and for the purposes of this chapter shall be deemed to be the owner or keeper of the dog.

(Ord. 113, passed 6-13-56) Penalty, see § 10.99

§ 92.02 RUNNING AT LARGE PROHIBITED.

It shall be unlawful for any person, firm or corporation owning, possessing or having charge of any dog to allow such dog to be at large at any time in the City of Standish or stray beyond the premises of the owner or keeper unless under the reasonable control of the owner, keeper or some person thereunto duly authorized or while engaged in lawful hunting accompanied by its owner, keeper or some person thereunto duly authorized. Dogs on leash or accompanied by their owners or custodians having reasonable control thereof shall not be deemed to be running at large.

(Ord. 113, passed 6-13-56) Penalty, see § 10.99

§ 92.03 FREQUENT BARKING PROHIBITED.

It shall be unlawful for any person, firm or corporation to keep or harbor a dog which by reason of frequent or habitual loud barking, yelping or howling shall cause serious annoyance amounting to nuisance to the people of the neighborhood where such dog is kept or to people using the public streets in such neighborhood.

(Ord. 113, passed 6-13-56) Penalty, see § 10.99

§ 92.04 FIERCE OR VICIOUS DOGS PROHIBITED.

It shall be unlawful for any person, firm or corporation to harbor a fierce or vicious dog or a dog that has been bitten by an animal known to have been afflicted with rabies. Any person who shall have in his or her possession a dog which has contracted or is suspected of having contracted rabies or which has been bitten by an animal known to have been afflicted with rabies shall, upon demand of a police officer of the City of Standish or the city health officer or dog warden, produce and surrender up the dog to the Police Department or Dog Warden of the city to be held for observation and treatment; provided, that with the approval of the health officer, any such dog may be surrendered to a registered veterinary. It shall be the duty of any person owning or harboring a dog which has been attacked by or bitten by any other dog or animal showing symptoms of rabies to give immediate notice to the Police Department or the health officer that such person has such a dog in his or her possession. Whenever a dog is brought to the pound for having bitten a person, the Dog Warden or other duly authorized officer may, if deemed necessary and advisable and after holding such dog a sufficient length of time to meet the requirements of the health officer for investigation, cause such dog to be destroyed as a vicious dog.

(Ord. 113, passed 6-13-56) Penalty, see § 10.99

§ 92.05 FEMALE DOGS IN HEAT.

It shall be unlawful for the owner or keeper of any female dog to permit such female dog to go beyond the premises of such owner or keeper when she is in heat, unless properly restricted in leash and under the reasonable control of the owner or keeper or some other person duly thereunto authorized. (Ord. 113, passed 6-13-56) Penalty, see § 10.99

§ 92.06 DOG KENNELS.

Any person, persons, firm or corporation desiring to operate within the limits of the City of Standish a dog kennel, as defined by Public Act 339 of 1919, as amended, shall make application to the City Council for a permit therefor, and all full discretion for the permit shall lie with the City Council. Any permits granted under this provision shall be good until the first day of July following the time of granting thereof.

(Ord. 113, passed 6-13-56)

ADMINISTRATION AND ENFORCEMENT**§ 92.20 GENERALLY.**

(A) The city shall provide an adequate pound to be maintained under the supervision and direction of a dog warden, to be appointed in the manner hereinafter provided, and such pound shall be maintained in accordance with the provisions of this chapter and such rules and regulations as shall be passed by the Council from time to time. It shall be the duty of the Dog Warden, or the police officers of the City of Standish, the constables of the several wards of the City of Standish and other designated employees of the City of Standish to seize promptly and place in the pound all dogs that may be found running at large and other dogs which are found to be kept or harbored at any place within the City of Standish contrary to the provisions of this chapter.

(B) Any person acting in the interest of public safety may, at his or her own risk, place under reasonable restraint any dog running at large which shall attack, bite or cause injury to any person in his or her presence; provided, that any such person exercising the authority conferred shall forthwith notify a member of the Police Department, the Dog Warden or other authorized city employees that he or she has so placed a dog under restraint, to the end that any such dog may be promptly picked up and impounded in accordance with the provisions of this chapter.

(C) Whenever any dog running at large shall be found upon the premises of any owner or occupant of residential or business property within the city, destroying property or committing a nuisance upon such premises, such owner or occupant, a member of his or her family or any duly authorized employee may, at his or her own risk, while the dog remains on the premises of the owner or occupant, place it under reasonable restraint for the purpose of having it impounded; provided, however, that in any such

case the person so placing any dog under restraint shall forthwith notify a member of the Police Department, the Dog Warden or other authorized city official that he or she has so placed a dog under restraint to the end that the dog may be picked up and impounded in accordance with the provisions of this chapter.

(Ord. 113, passed 6-13-56)

§ 92.21 DOG WARDEN.

The Mayor, by and with the consent of the City Council, shall forthwith appoint a competent person to serve as Dog Warden, and such appointee shall hold office until the first Monday in May in the year 1957, and at said time and annually thereafter the Mayor, by and with the consent of the City Council, shall appoint a competent person as Dog Warden, to hold office for the period of one year, or until his or her successor shall have been appointed and shall have qualified. In the event of a vacancy in the office of Dog Warden, the Mayor shall appoint a successor, by and with the consent of the City Council, within 20 days after such vacancy shall occur.

(Ord. 113, passed 6-13-56)

§ 92.22 LIST OF LICENSED DOGS MAINTAINED.

The City Clerk shall cause to be compiled forthwith a complete list of dogs licensed within the City of Standish and shall at all times keep such list current and shall at all times have a copy available for inspection in his or her office. Copies of the lists as from time to time revised shall be furnished to the Chief of Police and to the Dog Warden.

(Ord. 113, passed 6-13-56)

§ 92.23 IMPOUNDMENT.

It shall be the duty of the Dog Warden, whenever any dog shall have been taken up and received by him or her for impounding, to make, forthwith upon such impounding, a record of such impounding which shall show the breed or type of dog so impounded, its sex, apparent or approximate age, color and markings and any other identification, including license tag number and the date and hour when the dog was taken up or received by him or her and the place where the dog was picked up. All dogs so impounded shall be kept and fed, unless reclaimed or redeemed in the manner hereinafter provided, for a period of not less than five days from the hour of impounding, or for such greater period of time as may be provided by the rules and regulations of the City Council governing the operation of the Pound. Upon receiving any impounded dog, the Dog Warden shall forthwith give notice to the owner or keeper of such dog, by telephone if possible, by notice to be delivered through the Police Department, or by mail if the other forms of notice herein provided can not be given under the circumstances, that the dog of such owner or keeper has been impounded; provided, that if such impounded dog shall not bear a then current license tag by which he or she can be identified, and if the identity of the owner or keeper of the

dog is not known to the Warden, he or she shall be under no obligation to identify the dog or ascertain the identity of the owner or keeper thereof.

(Ord. 113, passed 6-13-56)

§ 92.24 RECLAIMING DOGS FROM POUND.

Owners of dogs impounded under the provisions of this chapter may claim such dogs by properly identifying themselves as the owners of the animals and, when so required by exhibiting the license of the dog or receipt for payment of license fee therefor, and by paying to the Clerk of the City of Standish a \$3 impounding fee, plus a boarding fee in the amount of \$1.50 per day; provided, that in any event the minimum boarding fee shall be \$1.50, irrespective of the length of time during which such dogs shall have been impounded; and further provided that it shall be unlawful for any person to claim or attempt to claim, or offer to redeem or reclaim, any impounded dog when such person is not the legal owner or authorized keeper thereof.

(Ord. 113, passed 6-13-56) Penalty, see § 10.99

§ 92.25 DOG NOT RECLAIMED OR REDEEMED.

Dogs not reclaimed or redeemed by owners or keepers before the expiration of five days from the hour of impounding shall be killed by the Warden, by means of appropriate hypodermic inoculation, and their carcasses shall be disposed of by city employees in such manner as shall be directed by motion or resolution of the City Council; provided, that the Dog Warden may, at his or her election, retain or sell any such dog, and the Warden shall be entitled to any amounts realized from the sale of dogs as herein authorized; and further provided that for each impounded dog not redeemed or reclaimed and subsequently disposed of by the Dog Warden through inoculation, the city shall pay to the Dog Warden boarding fees of \$1 per day for a period of not to exceed five days and a \$2 inoculation fee, but no boarding fees shall be paid for any dogs not disposed of by inoculation immediately upon the expiration of the five day period (or such longer period as may be prescribed by Council resolution) during which dogs are required to be kept impounded.

(Ord. 113, passed 6-13-56)

§ 92.26 DISPOSAL OF BODIES FOUND IN CITY.

Police officers, the constables of the several wards of the City of Standish and other authorized city employees may at any time take up and cause to be buried or otherwise suitably disposed of the bodies of any dogs found dead upon any street or alley or in any other public place in the City of Standish.

(Ord. 113, passed 6-13-56)

§ 92.27 DOG POUND.

The City Council shall appropriate such monies as shall be necessary to erect and maintain the dog pound herein provided for and to carry on the operation thereof. All impounding fees collected from the redemption or reclamation of impounded dogs shall be deposited with the City Treasurer, and a separate account shall be kept showing the cost of erection, maintenance and operation of the pound and of the revenues received from impounding fees. All boarding fees collected by the City Clerk or City Treasurer shall be paid to the Dog Warden, and the Dog Warden shall be paid such other compensation as shall from time to time be provided for by resolution of the City Council of the City of Standish. It shall be the duty of the City Clerk to keep records of the cost of erecting, maintaining and operating the pound and of the excess of such costs over the revenues realized from impounding fees and to annually collect from the County of Arenac any deficit which shall accrue, immediately following the close of each fiscal year, in accordance with the provisions of Public Act 339 of 1919, § 25, as amended.
(Ord. 113, passed 6-13-56)