PUBLIC NOTICE

CITY OF BERKLEY, MICHIGAN
REGULAR MEETING OF THE CITY PLANNING COMMISSION

Tuesday, July 27, 2021
7:00PM – City Hall Council Chambers
Information: 248-658-3320

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF AGENDA
APPROVAL OF MINUTES – Meeting minutes of June 22, 2021
COMMUNICATIONS
CITIZEN COMMENTS
OLD BUSINESS

1. PUBLIC HEARING: Matter of conducting a public hearing to amend Section 138-32 to add a definition for Entertainment Establishments and amend Section 138-417 to add Entertainment Establishments as a permitted use in the Downtown District.

2. PUBLIC HEARING: Matter of conducting a public hearing to amend Section 138-192 to clarify ordinance language related to projections into given yard.

NEW BUSINESS

3. DISCUSSION: Review and discussion for proposed ordinance amendments for the permitted location of exterior appliances on residential properties.

4. ELECTIONS: Matter of electing a chair person, vice chairperson, and secretary of the Planning Commission.

5. APPOINTMENTS: Matter of appointing Planning Commission liaisons to the following Boards and Commissions:
   a. City Council (First and third Monday of every month at 7:00pm)
   b. Downtown Development Authority (Second Wednesday of the month at 8:30am)
   c. Chamber of Commerce (Second Wednesday of the month at 5:30pm)
   d. Environmental Advisory Committee (Fourth Thursday of every other month at 6:30pm)

LIAISON REPORTS
COMMISSIONER / STAFF COMMENTS
ADJOURN

Notice: Official Minutes of the City Planning Commission are stored and available for review at the office of the City Clerk. If you would like to attend the electronic Planning Commission meeting, follow the link below or call the telephone number.

Join Zoom Meeting: https://berkleymich.zoon.us/j/93323204434
Dial by Phone: 1-312-626-6799
Meeting ID: 933 2320 4434
THE REGULAR MEETING OF THE BERKLEY CITY PLANNING COMMISSION WAS CALLED TO ORDER AT 7:00 PM, JUNE 22, 2021 VIA ELECTRONIC MEETING BY CHAIR KRISTEN KAPELANSKI.

The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city’s government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen, on-demand, on the city’s YouTube channel: https://www.youtube.com/user/cityofberkley.

PRESENT: Joe Bartus, Berkley Michigan  Matt Trotto, Berkley Michigan
Lisa Kempner, Berkley Michigan  Mark Richardson, Berkley Michigan
Greg Patterson, Berkley Michigan  Shiloh Dahlin, Berkley Michigan
Kristen Kapelanski, Berkley Michigan  Martin Smith, Berkley Michigan (left at 8:00pm)

ABSENT: Julie Stearn

ALSO, PRESENT: Kurt Hite,
Joshua Hunter,
Megan Masson Minock, Carlisle Wortman Associates
Erin Schlutow, Community Development Director
Daniel Hill, Public Policy Assistant

Motion by Commissioner Trotto to excuse Commissioner Julie Stearn, due to a scheduled conflict. Motion supported by Commissioner Kempner.

AYES: Dahlin, Kempner, Patterson, Richardson, Smith, Trotto, Bartus, Kapelanski
NAYS: None
ABSENT: Stearn

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APPROVAL OF AGENDA

Motion by Commissioner Kempner to approve the amended agenda. Motion supported by Commissioner Patterson.

AYES: Kempner, Patterson, Richardson, Smith, Trotto, Bartus, Dahlin, Kapelanski
NAYS: None
ABSENT: Stearn

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APPROVAL OF MINUTES

Motion by Commissioner Richardson to approve the minutes from the regular Planning Commission meeting on May 25, 2021 and supported by Commissioner Kempner.

AYES: Patterson, Richardson, Smith, Trotto, Bartus, Dahlin, Kempner, Kapelanski
NAYS: None
ABSENT: Stearn

Motion by Commissioner Kempner to approve the minutes from the Planning Commission Work Session on June 1, 2021 and supported by Commissioner Bartus.

AYES: Richardson, Smith, Trotto, Bartus, Dahlin, Kempner, Patterson, Kapelanski
Communications
None

Citizen Comments
Chair Kapelanski read instructions for public to submit comments during the virtual meeting.
None.

New Business
1. Master Plan: Matter of reviewing the draft text of the Berkley Master Plan to recommend to City Council to release for public comment.

   Megan Masson-Minock led the discussion related to the draft Master Plan. She went through the timeline for approval.

   Megan Masson-Minock reported on the discussion from the Master Plan Steering Committee related to duplexes and the recommendation for guide posts for duplex locations in the City.

   Chair Kapelanski opened the public comment.

   Kurt Hite, Robina, spoke in favor of the changes proposed by Megan Masson-Minock. He referenced the 2016 Future Land Use Amendment process.

   Joshua Hunter, 2240 Thomas, spoke about duplexes in the residential neighborhood. He also referenced the 2016 amendment. He spoke in favor of accessory dwelling units.

   Chair Kapelanski closed public comment.

   The Commissioners discussed duplexes and the proposed language suggested by the Master Plan Steering Committee. Commissioners were ok with guideposts in a general format so as to review and analyze in more detail during Ordinance amendment discussions.

   Commissioners also discussed the graphics, the potential corridor expansion area, aging in place.

   Motion by Commissioner Smith to recommend to City Council to distribute for public comment to adjacent communities, reviewing agencies, with the comments included that were discussed. Motions supported by Commissioner Kempner.

   Ayes: Smith, Trotto, Bartus, Dahlin, Kempner, Patterson, Richardson, Kapelanski

   Nays: None

   Absent: Stearn
2. **DISCUSSION:** Matter of discussing ordinance amendments to expand permitted uses in the Downtown District.

Community Development Director Schlutow summarized the discussion item and the changes incorporated from the previous month’s discussion.

Chair Kapelanski opened public comment. None received.

Planning Commission directed staff to set the public hearing.

3. **DISCUSSION:** Matter of clarifying language related to projections into given yard.

Community Development Director Schlutow summarized the amendment.

Chair Kapelanski opened public comment. None received.

Planning Commission directed staff to set the public hearing.

**NEW BUSINESS**


Community Development Director summarized the Annual Planning Report, as well as updates on the Master Plan, activities by the Community Development Department, overall achievements by the Planning Commission, and the work plan for the next year.

Motion by Commissioner Patterson to distribute the 2020 Annual Planning Report and 2021 Work Plan to City Council. Motion supported by Commissioner Kempner.

AYES: Trotto, Bartus, Dahlin, Kempner, Patterson, Richardson, Kapelanski
NAYS: None
ABSENT: Smith, Stearn

*LIAISON REPORTS*

Commissioner Trotto was unable to attend the DDA meeting this month.

Commissioner Richardson noted that the Environmental Advisory Committee did not meet this month.

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**STAFF/COMMISSIONER COMMENTS**

Commissioner Trotto noted that this would be his last meeting as he has decided to step down. Planning Commission expressed appreciation for his time and efforts to the Commission.
Commissioner Bartus asked about methods for receiving planning packet materials. Director Schlutow summarized methods for distributing materials to the PC.

Director Schlutow provided an update on returning to in person meeting procedures.

Motion to adjourn by Commissioner Trotto. Motion supported by Commissioner Patterson.

AYES: Bartus, Dahlin, Kempner, Patterson, Richardson, Trotto, Kapelanski
NAYS: None
ABSENT: Smith, Stearn

With no further business, the meeting was adjourned at 8:10pm.
MEMORANDUM

To: Berkley Planning Commission
From: Erin Schlutow, Community Development Director
Subject: Business Uses in Downtown District #4
Date: June 15, 2021

Since March 2021, the Planning Commission has discussed reviewing the permitted uses in the Downtown District. For your reference, below is a list of uses permitted by right and permitted by special land use in the Downtown District.

Sec. 138-417. – Principal permitted uses.

Principal uses permitted in the downtown district are as follows:

1. Restaurants, carryout or standard, except drive through uses
2. Bars, cocktail lounges, or taverns
3. Retail uses, dealing with the sale of new merchandise, such as, but not limited to the following:
   a. Gift shops
   b. Clothing stores, including shoes, hats and accessories
   c. Jewelry store
   d. Kitchenware, small appliance stores
   e. Furniture stores
   f. Toy stores
4. Retail uses, dealing with the sale of previously owned merchandise, such as, but not limited to the following:
   a. Antique shops
   b. Art galleries
5. Personal service uses, including the following:
   a. Hair salons
   b. Nail salons
   c. Tanning salons
6. Dance studios and health clubs
7. Food uses, not including convenience stores, such as, but not limited to the following:
   a. Produce markets
   b. Specialty food stores
   c. Wine shops
   d. Butcher shops
   e. Bakeries
8. Movie theaters, stage theaters, and comedy clubs
9. Residences, when located above the first floor
10. Offices or agencies, when located above the first floor
11. Marihuana retailers and medical marihuana provisioning centers
Sec. 138-418. – Special uses.

The following special uses shall be permitted in the downtown district, subject to the regulations in article VI administration and enforcement, division 6 special uses, of this chapter.

1. Office or agencies, when located on the first floor
2. Banks
3. Convenience stores
4. Outdoor sales or eating areas, when developed as accessory to primary uses and structures
5. Repair shops or workshops such as, but not limited to, clothing, shoes, watches, televisions, small appliances, electrician, painter, and upholstery
6. Resale shops

Downtown Plan

The Downtown Plan includes a Zoning Strategy for three character areas: Gateway West, Downtown Core and Gateway South. The existing Downtown District is located in the Downtown Core character area. It is suggested that a mix of independent retail, service, dining and entertainment uses should be permitted.

Entertainment Uses

The Zoning Ordinance currently permits commercial recreation uses in the LB, Gateway, Coolidge, and Twelve Mile Districts. Unfortunately, the definition section does not include language specific to commercial recreation, there is some guidance in the list of permitted uses for each district.

*Commercial recreational uses such as bowling alleys, billiard halls, indoor archery ranges, indoor skating rinks, indoor tennis courts, athletic or health clubs, schools of dance, schools of martial arts, or similar forms of indoor commercial recreation.*

The Zoning Ordinance does not specify what constitutes “indoor commercial recreation” or “entertainment” uses and this can be open to interpretation. I have consulted with the Planner’s Dictionary, which can be helpful in suggesting definition language that has been implemented in other communities.

*Recreation, commercial indoor:* A commercial recreational land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, tennis court. (Glenwood Springs, CO)

*Entertainment, commercial indoor:* Predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters and concert or music halls. (Blacksburg, VA)

*Entertainment Establishment:* any establishment (indoors or outdoors) where entertainment, either passive or active, is provided for the pleasure of the patrons, either independence or in
conjunction with any other use. Such entertainment includes but is not limited to vocal and instrumental music, dancing, karaoke, comedy, and acting. (San Jose, CA)

The above definitions allow for additional entertainment options that are not clearly identified, as the nature of “entertainment” has changed. While visits to the movie theater or attending a concert are still popular outings, there has been an increase in themed and art-based, creative entertainment options that should be considered as part of a “similar use”.

Such themed and creative entertainment options include photography studios, escape rooms, creative art studios, virtual reality centers. The list is not comprehensive, as new ideas and business opportunities come about everyday.

**Comparable Communities**

In preparation of this discussion, I have reviewed ordinance language in Ferndale and Madison Heights, specifically looking at regulations for the entertainment uses. Below specify the districts in which the uses are permitted. For your reference, the zoning maps for each community is included in the packet.

<table>
<thead>
<tr>
<th>Ferndale</th>
<th>Madison Heights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Painting with a Twist - 200 W. Nine Mile Rd</td>
<td>Escape Room Zone – 31401 John R Rd.</td>
</tr>
<tr>
<td>Art, music, dance, craft, ceramic, glass, cooking, and similar schools and studios</td>
<td>Video arcade businesses and indoor and/or outdoor recreational businesses</td>
</tr>
<tr>
<td>Permitted by Right in the CBD, C-2, C-3, OS, MXD-1, MXD-2 District</td>
<td>Permitted by Special Land Use in the B-1, B-2, B-3</td>
</tr>
</tbody>
</table>

There are other communities that allow indoor entertainment uses, the above were selected to demonstrate how the group activity, indoor recreation, entertainment uses can be regulated.

**Parking Requirements**

For properties located within 500 ft. of a municipal parking area, no off-street parking is required. Therefore, for all properties within the Downtown District, no off-street parking is required.

During the April meeting, commissioners were interested in the possibility of expanding Entertainment Establishments in other districts in the community, but were concerned about parking requirements. As promised, below are some suggestions from comparable communities that can guide the conversation in the future.
Madison Heights – One space per 300 sq. ft. of gross floor area

For a 2500 sq. ft. building, that would require eight (8) parking spaces.

For appointment-based entertainment establishments, it may not be cut and dry to look at only square footage for parking requirements, but to further separate based on the type of activity.

Doctors offices are separated by medical, dental, psychological offices.

- Medical offices require one (1) space per 100 sq. ft. of usable floor area, or 10 whichever is greater.
- Dental offices require two (2) per examination or treatment room plus three
- Psychologist offices require two (2) per examination or treatment room plus three

Based on Madison Height’s formula applied to a hypothetical building space, the parking requirement would be eight (8) parking spaces. While we need to be firm in our expectations for parking, it may be too steep of a requirement for the use and would prohibit occupancy of the specific property. As we consider this use in other Districts, it will be necessary to consider the size of the parcels and how to allow an entertainment use without impacting the adjacent residential neighborhoods.

Recommendation

Included is draft ordinance text that would permit Entertainment Establishments in the Downtown District, as well as a corresponding definition. We request the Planning Commission to review the proposed language and offer input on the changes. If the Planning Commission is comfortable with the proposed changes, we request the PC to set a public hearing for the regular July meeting.

If you have any questions related to this item, please let me know.
Sec. 138-32. Definitions.

Entertainment Establishments: any indoor establishment where entertainment is provided as an experience of enjoyment of the patrons. Such uses may include, but not limited to, art, photography, music, craft, ceramic, glass, or cooking studios for the purposes of hosting classes, providing live-action entertainment, or conducting group or independent activities. Such uses may be in conjunction with another use, if deemed compatible by the Zoning Officer.

Sec. 138-417. – Principal permitted uses.

Principal uses permitted in the downtown district are as follows:

1. Restaurants, carryout or standard, except drive through uses
2. Bars, cocktail lounges, or taverns
3. Retail uses, dealing with the sale of new merchandise, such as, but not limited to the following:
   a. Gift shops
   b. Clothing stores, including shoes, hats and accessories
   c. Jewelry store
   d. Kitchenware, small appliance stores
   e. Furniture stores
   f. Toy stores
4. Retail uses, dealing with the sale of previously owned merchandise, such as, but not limited to the following:
   a. Antique shops
   b. Art galleries
5. Personal service uses, including the following:
   a. Hair salons
   b. Nail salons
   c. Tanning salons
6. Dance studios and health clubs
7. Food uses, not including convenience stores, such as, but not limited to the following:
   a. Produce markets
   b. Specialty food stores
   c. Wine shops
   d. Butcher shops
   e. Bakeries
8. Movie theaters, stage theaters, and comedy clubs
9. Residences, when located above the first floor
10. Offices or agencies, when located above the first floor
11. Marihuana retailers and medical marihuana provisioning centers
12. Entertainment Establishments, not including outdoor sales or service or activity areas
MEMORANDUM

To: Berkley Planning Commission
From: Erin Schlutow, Community Development Director
Subject: Projections Revisited #2
Date: June 15, 2021

This item is being brought back to the Planning Commission to clarify language in the recently adopted Ordinance amendment related to Projections.

Earlier this year, the Planning Commission provided clarification on what types of architectural features should be classified as a projection. As you may recall, the previous administration determined that fireplaces did not classify as a projection, as it did not increase the livable floor area of the residential dwelling.

While the area of confusion was not amended during our previous discussions, additional questions have arisen when building permits have been submitted.

The Planning Commission reviewed and determined that the limitations on all projections, specifically related to the 30 percent of that wall’s surface, was related to projections into a given setback. If the projection was to be within the building envelope and adhere to all setback distances, then it shall not be limited to percentage of a given wall’s surface.

Included in the packet is draft ordinance language specific to the projections to clarify the language for the Building Department.
Sec. 138-192. - Projections.

Projections may extend into a required side yard setback not more than two inches for each one foot of width of such setback; and may extend or project into a required front or rear yard setback not more than three feet. Such projections shall not that do not have a foundation and shall be above grade at least 12 inches. The total of all projections into a given required setback yard shall not exceed 30 percent of that wall's surface area.

Projections without foundations may include box fireplaces, bay windows, and other types of cantilevers, including second story cantilevers.

Projections with foundations, such as brick or masonry fireplaces, shall be permitted to extend not more than two inches for each one foot of width of setback, and not more than three feet into the required front or rear yard setback.

In nonresidential districts, where no front yard setback is required, the Planning Commission may permit a projection to extend into the right of way three feet provided that it is at least 11 feet above the sidewalk if the Planning Commission determines the public health, safety, and welfare will not be adversely affected. The total of all projections into a given right of way shall not exceed 30 percent of that wall's surface area.
AN ORDINANCE

Of the Council of the City of Berkley, Michigan
Amending Section 138-192 of Chapter 138, Zoning,
Of the City of Berkley Code of Ordinances
To Amend Regulations for Projections into Setbacks
And Provide Penalties for Violations

THE CITY OF BERKLEY ORDAINS:

SECTION 1: Section 138-192 of Chapter 138 of the Berkley Code of Ordinances shall be amended, as follows:

Sec. 138-192. - Projections.

Projections may extend into a required side yard setback not more than two inches for each one foot of width of such setback; and may extend or project into a required front or rear yard setback not more than three feet. Such projections shall not that do not have a foundation and shall be above grade at least 12 inches. The total of all projections into a given yard shall not exceed 30 percent of that wall's surface area.

Projections without foundations may include box fireplaces, bay windows, and other types of cantilevers, including second story cantilevers.

Projections with foundations, such as brick or masonry fireplaces, shall be permitted to extend not more than two inches for each one foot of width of setback, and not more than three feet into the required front or rear yard setback.

In nonresidential districts, where no front yard setback is required, the Planning Commission may permit a projection to extend into the right of way three feet provided that it is at least 11 feet above the sidewalk if the Planning Commission determines the public health, safety, and welfare will not be adversely affected. The total of all projections into a given right of way shall not exceed 30 percent of that wall's surface area.

SECTION 2: Severability Clause

Should any word, phrase, sentence, paragraph, or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3: Effective Date

This Ordinance shall become effective 30 days following the date of adoption.

SECTION 4: Publication

The City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1991, as amended, and Section 6.5 of the Berkley City Charter.

Introduced on the First Reading at the Regular City Meeting on Monday, February 1, 2021.
Passed on the Second Reading at the Regular City Council Meeting on Monday, March 1, 2021.
Attest:

Victoria Mitchell
City Clerk

Daniel J. Terbrack
Mayor
MEMORANDUM

To: Berkley Planning Commission

From: Erin Schlutow, Community Development Director

Subject: Exterior Appliances Locations – Revisited #1

Date: July 21, 2021

During our previous conversations which led to the adoption of the Exterior Appliances ordinance amendment, it was determined that air conditioning units could be located in the side yard with screening requirements, while generators should be restricted to the rear yard on residential properties.

This item is returning to the Planning Commission in order to discuss the permitted locations of generators on residential properties.

We are asking the Planning Commission to begin conversations to consider the regulations for generators on residential properties in the following circumstances:

1. Corner Lots
2. Interior parcels where the side yard abuts a rear yard
3. Properties that have at least “X” distance from adjacent property
4. Other considerations?

For your reference, attached is the Exterior Appliances ordinance that was adopted by City Council earlier this year.

We look forward to continuing this discussion at the July 27, 2021 meeting.
AN ORDINANCE

Of the Council of the City of Berkley, Michigan
Adding Division 1.5 of Article III, General Provisions of Chapter 138, Zoning,
Of the City of Berkley Code of Ordinances
To Define and Regulate Exterior Appliances
And Provide Penalties for Violations

THE CITY OF BERKLEY ORDAINS:

SECTION 1: Add new Division 1.5, Exterior Appliances, to Article III, General Provisions, in Chapter 138 of the Berkley Code of Ordinances, as follows:

Division 1.5. Exterior Appliances

Sec. 138-71. Purpose

The purpose of this division is to promote the public health, safety and welfare by regulating the manner and location of exterior appliances on residential and commercial properties in the city. For purposes of this division, the following definitions shall apply.

Sec. 138-72. - Definitions

Air Conditioning Unit: The central air conditioning system located on the exterior of a building including a compressor, fan, condenser coil, evaporator coil and a refrigerant.

Power Generator: A stationary device, such as a reciprocating internal combustion engine or turbine that serves solely as a secondary source of mechanical or electrical power whenever the primary energy supply is disrupted or discontinued during power outages or natural disasters. A power generator may operate during power interruptions or during regularly scheduled testing.

Exterior Appliance: Mechanical equipment located on the exterior of a residential or commercial building. Such types of equipment shall include air conditioning condenser unit, power generators, and any noise producing mechanical system components located at the exterior of a building. Exterior appliances specific to swimming pools are subject to the regulations in Section 138-59.

Sec. 138-73. - Location

Exterior appliances are prohibited from being located in the front yard or within a recorded easement or right-of-way that would prohibit, hinder or disrupt utilities, drainage, access, etc.

(a) Residential.

1. Power Generators and other exterior appliances shall be located in the rear yard at least six (6) feet from side property line.

2. Air Conditioning Units may be permitted in the side yard under the following conditions:
   a. The unit must be at least 18 inches from side property line;
b. The unit must be at least 12 feet from adjacent dwelling;
c. The unit must be screened on at least three (3) sides by opaque fencing or landscaping, measuring at least four (4) feet in height from grade.
   1. The principal structure may be considered one side of screening.
   2. Screening must be provided from street view and facing the closest adjacent property.
   3. Chain link fencing is not permissible as a screening material for exterior appliances.

(b) Nonresidential.
   1. At Grade.
      a. Exterior appliances shall be at least five (5) feet from a property line.
      b. Power Generators shall be enclosed in a sound-attenuating enclosure, if located adjacent to residential property.
      c. Exterior appliances shall be screened on at least three (3) sides with opaque fencing or landscaping, measured at least four (4) feet in height from grade.
         1. The principal structure may be considered one side of screening.
         2. Screening must be provided from street view and facing the closest adjacent property.
         3. Chain link fencing is not permissible as a screening material for exterior appliances.

   2. Rooftop.
      a. Exterior appliances located on the rooftop of commercial buildings shall be screened so as to not be visible from street level. Screening materials shall be consistent with the color, materials, design and aesthetic of the building.

   3. The Planning Commission may modify location of the exterior appliances on nonresidential properties during site plan review, if the applicant can demonstrate an alternative location does not negatively impact adjacent properties, pedestrian or vehicular traffic.

Sec. 138-74. – Restrictions.

Generator testing shall be permitted Monday – Friday, 9:00am – 6:00pm.

Sec. 138-75. – Non-Conforming Exterior Appliances.

Non-conforming exterior appliances include appliances that were lawfully installed but are no longer in compliance with the provisions of this chapter.

Non-conforming exterior appliances may be continued, maintained and replaced provided there is no increase or enlargement of the area occupied or devoted to such use.

If the structure that is served by a non-conforming exterior appliance is damaged or partially destroyed by less than 50 percent of its market value, the exterior appliance may be restored and its previous use continued. If the structure that is served by a non-conforming exterior appliance is damaged or partially destroyed by 50 percent or more than 50 percent of its market value, then any restoration or new construction must comply with all current building and zoning codes.
Sec. 138-76. – Permits required.

Permits are required for the installation of exterior appliances.

SECTION 2: Severability Clause

Should any word, phrase, sentence, paragraph, or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3: Penalty

All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine or not more than $500, and/or such other sanctions and remedies as prescribed in Article IX of Chapter 82 of the Code of Ordinances.

SECTION 4: Effective Date

This Ordinance shall become effective 30 days following the date of adoption.

SECTION 5: Publication

The City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1992, as amended, and Section 6.5 of the Berkley City Charter.

Daniel J. Terbrack
Mayor

Attest:

Victoria Mitchell
City Clerk