

**CITY COMMISSION
CITY OF OTSEGO
Allegan County, Michigan**

Commissioner Misner, supported by Commissioner Thompson, moved the adoption of the following ordinance:

ORDINANCE NO. 150

**AN ORDINANCE TO ADD SECTION 14-38 AND SECTION 14-39 TO
ARTICLE II, CHAPTER 14 OF THE CODE OF ORDINANCES OF THE
CITY OF OTSEGO, MICHIGAN TO ESTABLISH REGISTRATION FEES
AND ADDITIONAL REQUIREMENTS FOR PEDDLERS, SOLICITORS
AND TRANSIENT MERCHANTS**

THE CITY OF OTSEGO ORDAINS:

Section 1. Amendment. Chapter 14, “Businesses”, Article II, “Peddlers, Solicitors and Transient Merchants”, of the Code of Ordinances of the City of Otsego, Michigan, is amended to read as follows:

Sec. 14-38. Application denial.

(a) An application submitted under this article may be denied by the City Clerk for any of the following reasons:

- (1) Noncompliance with any of the standards or requirements set forth in this article.
- (2) False information or a false statement was provided in the application.
- (3) Noncompliance with the City’s zoning ordinance, building code or other applicable ordinance.
- (4) When an applicant has been convicted of a violation of a City ordinance, state or federal law for assault, battery, fraud, embezzlement, larceny, burglary or similar crime.

(b) Any person aggrieved by the denial of an application under this article may appeal to the City Manager by filing with the City Clerk a written appeal within 10 days after denial. The City Clerk shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in writing. After such hearing, the decision and order of the City Manager on any such appeal shall be final and conclusive.

(c) An identification card issued under this article is nontransferable.

Sec. 14-39. Registration fee.

(a) Each applicant for registration under Section 14-35 of this article shall, at the time of application submission, pay a nonrefundable registration fee to the City Clerk. The registration fee shall be set from time to time by the City Commission by resolution.

(b) No registration fee is required to be paid by any person exempted by Section 14-33 of this article or any provision of state or federal law.

Section 2. Effective Date. This ordinance shall take effect upon the latter of publication or the passage of twenty (20) days time following its final adoption in accordance with the City Charter.

YEAS: Commissioners: Tom Gilmer, Kathy Misner, Joel Thompson, Molly Wieber, & Cyndi Trobeck.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners None.

ORDINANCE ADOPTED.

CERTIFICATION

I certify that this is a true and complete copy of an ordinance adopted by the City Commission of the City of Otsego at a regular meeting held on June 6, 2011.

Dated: June 6, 2011

Angela Cronen, City Clerk

Introduced: May 16, 2011

Adopted: June 6, 2011

Published: May 23, 2011

Effective: June 8, 2011. June 21, 2011 – Fees will be established.