



## **Village of Breedsville**

82 E Main St. PO Box 152  
Breedsville, MI 49027  
(269) 427-9029

### **ORDINANCE 2023-08**

## **LICENSING OF SEASONAL OR TEMPORARY BUSINESSES**

**PREAMBLE:** An Ordinance to provide for the regulation and licensing of businesses of a seasonal temporary nature, other than roadside stands operated for the merchandising of farm produce, in the Village of Breedsville, County of Van Buren, State of Michigan.

### **Section 1 Purpose:**

A seasonal or temporary business is defined for the purpose of this Ordinance as any business which is conducted for the purpose of vending or for the purveying to the public of new or used merchandise and goods where such business is conducted within the Village of Breedsville solely for a period between April 1st and November 1st of each year.

### **Section 2 Definition:**

All operators of seasonal and temporary businesses as defined in Section 1 of this Ordinance must, before commencing operations, obtain a license from the Breedsville Clerk.

### **Section 3 License:**

The license for the operation of a seasonal or temporary business as required in Section 2, shall be issued by the Village Clerk upon completion of the following:

1. The filing of an application for a said license with the Village Clerk.
2. The payment of a fee of \$100.00, said fee to cover the cost of administration and enforcement of the Ordinance.
3. Compliance with requirements pertaining to the affidavit, asset forth in Section .4 and the filing of a statutory investigation report subject thereto.

#### **Section 4 Affidavit:**

Every application for a permit shall be accompanied by an affidavit signed by the owner, operator, partner, agent, or other people over the age of twenty-one (21) and responsible for the proposed seasonal or temporary business. Such affidavit shall state the following:

1. That the proposed mercantile business shall be conducted within a building which has a minimum of a roof and three sidewalls and said building shall be of sufficient size to accommodate the proposed business.
2. Toilet facilities for employees shall be accessible to the proposed location.
3. Adequate off-street parking shall be provided in cases where public parking is not Available. The Clerk shall have made, within 48 hours of the filing of the said affidavit, such investigation as may be necessary to satisfy himself that the conditions set forth in the affidavit are in fact in existence.

#### **Section 5 Fees:**

Fees collected as provided in the Ordinance shall be disposed of as follows:

1. One-half is to be deposited with the Village Treasurer for defrayment of the cost of administering the Ordinance.
2. One-half to be retained by the Village Clerk for services pertinent to the enforcement of the Ordinance.

#### **Section 6 EXEMPTION:**

Exempt from the provisions of this Ordinance are all mercantile businesses which are in the nature of roadside stands owned and operated by producers of local agricultural products.

#### **Section 7 ENFORCEMENT:**

The provisions of this Ordinance shall be enforced by the Village Council. Any persons engaging in or attempting to operate a business without first obtaining the permit required herein or operating contrary to the conditions set forth in the affidavit required thereto shall be guilty of a misdemeanor punishable by a fine of up to One Hundred (\$100.00) Dollars or five days in the County Jail, or both. This ordinance shall become effective **February 27, 2023**

## CERTIFICATION

I further certify that Trustee: L. Weniger moved for the adoption of said Ordinance No.2023-08 and that Trustee: T. Weniger seconded said motion.

I further certify that the following Trustees: L. Weniger, T. Weniger, P. Cooley, and President S. Rogusta Voted for the adoption of said Ordinance No.2023-08, and that the following Trustees No Trustees voted against such Ordinance. Absent: W. Yeager

I further certify that said Ordinance No 2023-08 has been recorded in the Ordinance Book of the Village of Breedsville and that such recording has been authenticated by the signatures of the Village President and Village Clerk

I do hereby certify that a synopsis of this Ordinance No. 2023-08, in accordance with statutory requirements, was published on the 27th day of January 2023 in the Van Buren Reminder, a copy of which is attached hereto.

Steven Rogusta  
President

Linda Norton  
Village of Breedsville, Clerk

ATTEST:

Linda Norton  
Village of Breedsville, Clerk

