

THE CITY OF LAPEER, MICHIGAN ORDAINS:

**CHAPTER 1
GENERAL PROVISIONS**

1.01 TITLE OF ORDINANCES

This code or ordinances shall be known as and constitute The General Ordinances of the City of Lapeer, Michigan.

1.02 REPEAL OF ORDINANCES

All ordinances heretofore adopted by the City Commission, of a general nature and relating to the subject matter contained in this code, except ordinances relating to zoning which are amended in certain minor respects to read as set forth in Chapter 7 are repealed. The provision of this code, so far as they are the same in substances as those heretofore existing ordinances, shall be construed as a continuation of such ordinances and not as new enactments. Any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time of such repeal, shall not be affected by such repeal, but may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such repeal had not been effected.

1.03 ORDINANCES REPEALED NOT REENACTED

No ordinance nor part of any ordinance heretofore repealed shall be considered reordained or reenacted by virtue of this code, unless specifically reenacted. The repeal of any curative or validating ordinances shall not impair or affect any cure or validation already effected thereby.

1.04 SEPARABILITY OF PROVISIONS

Each section, paragraph, sentence, clause and provision of the code is separable and if any provision shall be held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this code, or any part thereof, other than that part affected by such decision.

1.05 DEFINITIONS

(A) Terms used in this code, unless otherwise specifically defined, have the meanings prescribed by the statutes of the State of Michigan for the same terms.

(B) Terms used in these ordinances have the following meanings:

CITY:

The City of Lapeer, Michigan

COUNTY:

County of Lapeer

CITY COMMISSION OR COMMISSION:

The City Commission of the City of Lapeer

1.05 GENERAL PROVISIONS

PERSON:

Any natural individual, firm, trust, partnership, association, or corporation. Whenever the word "person" is used in any section of this code prescribing penalty or fine, as applied to partnerships or associations, the word includes the partners or members thereof, and as applied to corporations the word includes officers, agents, or employees thereof who are responsible for any violations of the section. The singular includes the plural. The masculine gender includes the feminine and neuter genders.

ORDINANCES:

The ordinances of the City of Lapeer and all amendments thereto.

THIS CODE:

The General Ordinances of the City of Lapeer

1.06 AMENDMENTS

Any additions or amendments to this code are incorporated in this code so that a reference to "The General Ordinances of the City of Lapeer" includes them.

1.07 NUMBERING OF SECTIONS

- (A) Each section number of this code shall consist of two component parts separated by a period, the figure before the period referring to the chapter number and the figure after the period referring to the position of the section within the chapter.
- (B) The decimal system shall be used for all additions or amendments to this code. When a chapter or section is added, it shall be given a decimal character.

1.08 PENALTIES

- (A) Any person violating any provision of this code for which a penalty is not otherwise specified shall be guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be subject to a fine of not more than five hundred (\$500.00) dollars, or to imprisonment in the County Jail for a period of not more than ninety (90) days, or to both such fine and imprisonment in the discretion of the court.
- (B) Provisions of this code prescribing any penalty shall not apply to the failure of any city officer or employee to perform an official duty.
- (C) Reference to any section of this code includes the penalty section relating thereto, unless otherwise expressly provided.
- (D) The penalty provided in this section shall relate to amendments and additions to this code, whether reenacted in the amendatory ordinance or not, unless such penalty is specifically repealed or amended therein.

1.09 REPEATED OFFENSES

Each day a violation of any provision of any ordinance of the City continues is a separate offense.

1.10 EFFECTIVE DATE:

The code of ordinances shall take effect April 19, 1978 at 12:01 A.M., E.S.T. and be published in loose leaf book form by authority of the City Commission of the City of Lapeer. Copies of this code shall be kept on file in the office of the Clerk-Treasurer and be available there for public inspection.