

CITY OF PERRY  
SHIAWASSEE COUNTY  
STATE OF MICHIGAN

**ORDINANCE NO. 346**

**THE CITY OF PERRY ORDAINS:**

**HEAVY EQUIPMENT OPERATION**

No person within the City shall, directly or indirectly, either in person or by his or her agent, employee, or lessee, conduct the transportation, processing, and/or removal of mineral material, concrete material, construction material or any other material in excess of 50 tons per year in the regular operation of a business in violation of these restrictions.

**1. TREATMENT OF AREAS OF OPERATION TO PREVENT NUISANCE; DIRT TRACKS.**

Interior roads, parking lots, and haul road loading and unloading areas shall be treated so as to limit the nuisance caused by wind-blown dust or dust from truck traffic. Preventative measures shall be taken to avoid dirt tracks on the adjacent hard-surface road left by trucks leaving the site.

**2. HOURS OF OPERATION**

The maximum range of hours of operation is from 7:00am to 6:30pm Monday through Saturday. Operations shall be prohibited on legal holidays and Sundays.

**3. RECLAMATION**

All debris and rubbish shall be removed from the operation area within six months of the date of termination of operations.

**4. NOISE**

At no point either on the boundary of a residence, business or commercial district, or at 40 meters from the nearest property line of a plant or operation, whichever distance is greater, shall the sound pressure level of any individual operation or plant or the combined operations of any person, firm or corporation exceed the decibel levels of 60 decibels.

**5. PENALTY**

Violation of this ordinance shall be considered a municipal civil infraction, subjecting the violator to a fine not exceeding Five Hundred Dollars (\$500.00).

Each day of a continuing violation shall be considered to be a separate violation.

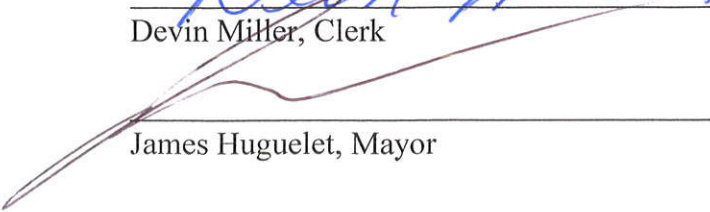
6. This Ordinance is declared to be immediately necessary for the preservation of the public peace, health or safety, therefore, this Ordinance is effective immediately. The City Clerk shall post copies of this Ordinance in conspicuous locations in five public places in the City and shall publish the Ordinance in the usual manner.

Adopted this 20<sup>th</sup> day of June, 2019.

Published: June 25, 2019

Dated: 6/20/2019

  
Devin Miller, Clerk

  
James Huguelet, Mayor


**CERTIFICATION**

STATE OF MICHIGAN        )  
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COUNTY OF SHIAWASSEE)

I, the undersigned, and duly qualified and acting City Clerk of the City of Perry, Shiawassee County, Michigan, DO HEREBY CERTIFY that the foregoing was introduced and adopted at a meeting of the Perry City Council on the 20<sup>th</sup> day of June, 2019.

Pursuant to Perry City Charter Section 5.6, a copy of this Ordinance was posted at the following conspicuous locations on the date listed:

<u>Posting location</u>	<u>Posting date</u>
<u>Carl's Supermarket</u>	<u>June 21, 2019</u>
<u>Darling's Hardware</u>	<u>June 21, 2019</u>
<u>Bentley Memorial Library</u>	<u>June 21, 2019</u>
<u>Amy's Diner</u>	<u>June 21, 2019</u>
<u>Perry Post Office</u>	<u>June 21, 2019</u>

  
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Devin Miller, Perry City Clerk