

NOTICE

At a Regular Rochester Hills City Council Meeting held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Oakland County, Michigan on Monday, January 11, 2010:

Present: President Gregory Hooper, Members J. Martin Brennan, Nathan Klomp, Vern Pixley, James Rosen, Michael Webber and Ravi Yalamanchi

QUORUM PRESENT

MOTION BY Yalamanchi, seconded by Webber, **Resolved that Ordinance No. 547**, an Ordinance to add Section 10-192 to Article IV, Mechanical and Electronic Amusement Devices, of Chapter 10 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to authorize the City Council to grant a variance from certain restrictions and operating requirements of Article IV in order to alleviate an unnecessary hardship; repeal conflicting ordinances and prescribe a penalty for, **BE AND IS HEREBY ADOPTED** and shall become effective on Friday, January 22, 2010 the day following its publication in the *Rochester Post*.

Ayes: Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi
Nay: Brennan

MOTION CARRIED

ORDINANCE NO. 547

AN ORDINANCE TO ADD SECTION 10-192 TO ARTICLE IV, MECHANICAL AND ELECTRONIC AMUSEMENT DEVICES, OF CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO AUTHORIZE THE CITY COUNCIL TO GRANT A VARIANCE FROM CERTAIN RESTRICTIONS AND OPERATING REQUIREMENTS OF ARTICLE IV IN ORDER TO ALLEVIATE AN UNNECESSARY HARDSHIP; REPEAL CONFLICTING ORDINANCES AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 10-192 shall be added to Article IV, of Chapter 10 of the Code of Ordinances, as follows:

Sec. 10-192. Variance.

The City Council may grant a variance to certain restrictions or operating requirements of this Article upon determining it is reasonable, appropriate and in the public interest to do so in order to alleviate an unnecessary hardship that may result from strict compliance with this Article.

CODIFIED ORDINANCE NO. 547

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. All violations of this ordinance shall be misdemeanors and upon conviction thereof shall be punishable by a sentence of not more than ninety (90) days of confinement to jail or by a fine of not more than \$500, or both, in the court's discretion.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on January 22, 2010, following its publication in the *Rochester Post* on January 21, 2010.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on January 11, 2010.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON JANUARY 11, 2010.

Jane Leslie, Clerk
City of Rochester Hills

Accepted for First Reading: 12/14/09

CW: 1/11/10