

ORDINANCE NO. _____

AN ORDINANCE TO ADD DIVISION 4, PORTABLE AND STATIONARY GENERATORS, TO CHAPTER 70, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO REGULATE THE USE OF GENERATORS FOR POWER SUPPLY, REPEAL CONFLICTING ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Division 4 shall be added to Chapter 70, Article IV of the Code of Ordinances, as follows:

DIVISION 4. – PORTABLE AND STATIONARY GENERATORS

Sec. 70-211. – Purpose.

Because the unregulated or ongoing use of portable or stationary generators to supply power to residential and non-residential buildings can and do create noise and emissions nuisances that may detrimentally affect neighbors and may further present possible fire and health dangers to the occupants of premises, the City Council deems it necessary and appropriate to regulate use of generators for power supply to control such nuisances and danger.

Sec. 70-212. – Use of generators regulated.

Electric power necessary to operate the systems, fixtures, appliances, equipment, and devices in or outside of residential and non-residential premises shall come from a reliable publicly or privately owned utility company or solar or wind energy facility. During a power outage, a portable or stationary generator may be used to supply power until power is restored, provided that the power outage is not attributable to non-payment of utility charges or to illicit, unlawful, unsafe, or otherwise improper connection, wiring, or activity.

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. Except as otherwise provided therein, all violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of \$500.

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provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.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 _____, 2020 following its publication in the *Oakland Press* on _____, 2020.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____, 2020.

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 _____, 2020.

Tina Barton, Clerk
City of Rochester Hills