

12/09/09

ORDINANCE NO. _____

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.

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provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.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 _____, 2009, following its publication in the *Rochester Post* on _____, 2009.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____, 2009.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I hereby certify the foregoing ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof on _____, 2009.

Jane Leslie, Clerk
City of Rochester Hills