

4. Penal and correction institutions.

5. In cases where ML Districts Use is clearly incidental and essential to a permitted C6 District Use, then not to exceed 30% of the first floor area and 50% of the other floor areas of the building or structure occupied by such C6 District Use may be occupied for an ML District Use as hereinafter specified.

6. Uses accessory to any of the above permitted uses. (Ord. 3-F, effective March 17, 1955.)

SEC. 14.2. HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding eighty (80) feet.

SECTION 15. ML DISTRICTS

The following regulations shall apply in all ML Districts:

SEC. 15.1. USES PERMITTED

No building or structure, or part thereof shall be erected, altered, or used, or premises used, in whole or in part, for other than one or more of the following specified uses:

1. Uses permitted in B2 Districts except new dwellings, hospitals and other institutions for the care of humans.

2. Uses permitted in C6 Districts when contained within buildings.

3. The following uses and other similar thereto when contained within buildings:

Tool, die, gauge and machine shops manufacturing small parts not involving pressing or stamping operations.

Toiletries and cosmetic manufacturing.

Pattern making shops.

Pharmaceutical products manufacturing.

Plastic products manufacturing.

Cinema production and development.

Carpenter and cabinet making shops.

Wearing apparel manufacturing, including shoes, handbags, and small leather goods products.

Hardware and cutlery manufacturing.

4. Open air display for rental or sale, of householder's pneumatic tired two and four wheel utility trailers, pneumatic tired cement mixers having a capacity of not more than 3½ cubic feet, capable of being towed by a passenger automobile and wheelbarrows. (Ord. 3-F, effective March 17, 1955.)

SEC. 15.2. HEIGHT

No building or structure, or part thereof, shall be erected or altered, to a height exceeding forty (40) feet.

SECTION 16. ML6 DISTRICTS

The following regulations shall apply in all ML6 Districts:

SEC. 16.1. USES PERMITTED

No building or structure, or part thereof, shall be erected or altered, or used, or premises used, in whole or part, for other than one or more of the following specified uses:

1. Uses permitted in C6 and ML Districts except dwellings and hospitals or institutions for care of humans.

2. Automobile assembly plants.

Automobile accessory manufacturing (not including tires).

Painting and varnishing shops.

Tinsmith and sheet metal shops.

Welding shops.

Millwork, lumber and planing mills.

Railroad yards.

Brewing and distilling of malt beverages or liquors.

Electrical fixtures, batteries, and other electrical apparatus manufacturing.

Cigar and cigarette manufacturing.

Disinfectant and insecticide manufacturing.

Furniture and upholstering manufacturing.

Mattress manufacturing.

Metal buffing, plating and polishing.

Machine shops.

Paper box and cardboard products manufacturing.

Canning factories.

Meat and fish processing (not including slaughtering or rendering).

Storage and killing of poultry and small game for wholesale trade.

Tank storage of bulk oil and gasoline.

Leather goods and luggage manufacturing.

Uses similar to the above specified uses.

SEC. 16.2. HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding eighty (80) feet.

SECTION 17. MH DISTRICTS

The following regulations shall apply in all MH Districts:

SEC. 17.1. USES PERMITTED

No building or structure, or part thereof, shall be erected, altered, or used, or premises used, in whole or in part, for other than one or more of the following specified uses:

1. Use permitted in ML6 Districts.

2. Foundries.

Heat treating plants.

Drop forging plants.

Metal stamping and pressing plants.

Body plants.

Gas holders.

Coke ovens.

Incinerator plants.

Sewage disposal plants.

Enameling and galvanizing plants.

Pyroxlin plastic manufacturing.

Paint, enamel, lacquer and varnish manufacturing.

Coal and coke yards.

Building material yards including sand, gravel, stone, cinders and lumber yards.

Open storage yards of building and construction contractors.

Equipment and supplies.

Linoleum and oil cloth manufacturing.

Roofing manufacturing.

Tire and rubber goods manufacturing.

Tire and recapping plants.

3. The following uses, or other uses similar thereto, subject to the approval of the Commission as being not injurious to the surrounding neighborhood and not contrary to the spirit and purpose of this Ordinance, provided, that for drive-in theatres any action of the Commission shall be subject to approval or disapproval of the Common Council.

Animal slaughter houses.

Corrosive acid manufacturing.

Cement, lime, gypsum, or plaster of paris manufacturing.

Distillation of bones, coal tar, petroleum, refuse, grain or wood.

Drive-in theaters.

Explosives—manufacturing or storage.

Fat rendering.

Fertilizer manufacturing.

Garbage, offal, or dead animal reduction.

Glue manufacturing.

Junk yards.

Petroleum or asphalt refining manufacturing.

Smelting or refining of metals or ores.

Stockyards.

Tanning, curing or storage of raw hides or skins.

4. All other uses not prohibited by law or other Ordinances and not specifically permitted in other districts.

5. Uses accessory to a use permitted in this district (Ord. 925-E, effective November 19, 1954.)

SEC. 17.2. HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding eighty (80) feet provided that in any portion of an MH district one hundred and fifty (150) feet or more from any R1, R2, RM, RM4 or RMU Districts there shall be no limitation on the height of buildings or structures.

ADMINISTRATION

SECTION 18. ENFORCEMENT PROVISIONS

SEC. 18.1. ENFORCEMENT

The Department of Buildings and Safety Engineering, through its officers, inspectors, or employees, shall enforce the provisions of this Ordinance: Provided, That in cooperation with that department any police officer shall have authority to enforce the provisions thereof relating to the parking, storing or placing of a motor vehicle on land or premises. (Adopted December 4, 1952. Ord. 706-E.)

SEC. 18.2. PERMITS NOT TO BE ISSUED

No building permit shall be issued for the erection, alteration, or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all of the provisions of this Ordinance.

SEC. 18.3. CERTIFICATES NOT TO BE ISSUED

No certificate of occupancy pursuant to the Building Code (Chapter 334—Compiled Ordinance of 1945) shall be issued unless the building, structure, or part thereof, and the use of the land, covered by such Certificate, conforms in all respects with the provisions of this Ordinance.

SEC. 18.4. PLATS

All applications for building permits shall be accompanied by a plat, in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the location of the building to be erected and all other buildings on the property and such other information as may be necessary for the enforcement of this Ordinance.

Where a building is to be erected in an R1 or R2 District and the proposed front yard is less than the prescribed minimum for the District in which the proposed building is to be situated and when such minimum front yard is permitted to be reduced as hereinbefore specified, such plat shall include the nearest adjoining premises on both sides in the same block upon which buildings have already been erected.

SEC. 18.5. PERMITS FOR NEW USE OF LAND

No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use of a different class or type unless a building permit is first obtained for the new or different use.

SEC. 18.6. PERMITS FOR NEW USE OF BUILDINGS

No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a building permit is first obtained for the new use.

SEC. 18.7. PERMITS REQUIRED

No building or structure, or part thereof, shall be hereafter erected, altered, moved, or repaired unless a building permit shall have been first issued for such work. The terms "altered," and "repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress or ingress, or other changes affecting or regulated by the Building Code, Housing Law of Michigan, or this Ordinance, except for minor repairs or changes not involving any of the aforesaid features.

SEC. 18.8. BUILDING PERMIT NECESSITATES CERTIFICATE

No land, building, structure, or part thereof, shall be occupied by or for any use for which a building permit is required by this Ordinance unless and until a Certificate of Occupancy shall have been issued for such new use.

SEC. 18.9. CERTIFICATES REQUIRED

No building or structure, or part thereof, which is hereafter erected or altered, shall be occupied or used unless and until a Certificate of Occupancy shall have been issued for such building or structure.

SEC. 18.10. CERTIFICATES INCLUDING ZONING

Certificates of Occupancy as required by the Building Code for new buildings or structures, or parts thereof, or for alterations to or changes of use of existing buildings or structures, shall also constitute Certificates of Occupancy as required by this Ordinance.

SEC. 18.11. CERTIFICATES FOR EXISTING USES

Certificates of Occupancy shall be issued for existing buildings, structures, or parts thereof, or existing uses of land if, after inspection, it is found that such buildings, structures, or parts thereof, or such use of land, are in conformity with the provisions of this Ordinance.

SEC. 18.12. TEMPORARY CERTIFICATES

Nothing in this Ordinance shall prevent the issuance of a temporary Certificate of Occupancy for a portion of a building or structure in process of erection or alteration, provided that such temporary Certificate shall not be effective for a period of time in excess of six (6) months and provided further that such portion of the building, structure, or premises is in conformity with the provisions of this Ordinance.

SEC. 18.13. RECORDS OF CERTIFICATES

A record of all certificates issued shall be kept on file in the office of the Commissioner of the Department of Buildings and

Safety Engineering and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.

SEC. 18.14. CERTIFICATES FOR DWELLING ACCESSORY BUILDINGS

Buildings accessory to dwellings shall not require separate Certificates of Occupancy but may be included in the Certificate of Occupancy for the dwelling when shown on the plat and when completed at the same time as such dwellings.

SEC. 18.15. APPLICATION FOR CERTIFICATES

Application for Certificate of Occupancy shall be made in writing to the Department of Buildings and Safety Engineering on forms furnished by that Department and such Certificates shall be issued within five (5) days after receipt of such application if it is found that the building or structure, or part thereof, or the use of land is in accordance with the provisions of this Ordinance.

If such certificate is refused for cause, the applicant therefor shall be notified of such refusal and the cause thereof within the aforesaid five (5) day period.

SEC. 18.16. FINAL INSPECTION

The holder of every building permit for the construction, erection, alteration, repair, or moving of any building, structure, or part thereof, shall notify the Department of Buildings and Safety Engineering immediately upon the completion of the work authorized by such permit, for a final inspection.

SEC. 18.17. FEES

Fees for inspections and the issuance of permits or certificates or copies thereof required or issued under the provisions of this Ordinance may be collected by the Department of Buildings and Safety Engineering in advance of issuance. The amount of such fees shall be established by the Board of Rules of said Department and shall cover the cost of inspection and supervision resulting from the enforcement of this Ordinance but in no case shall the fee for any particular service be in excess of ten (\$10.00) dollars nor less than fifty (50c) cents.

SEC. 18.18. RECORD OF NON-CONFORMING USES

All non-conforming uses existing at the effective date of this Ordinance shall be recorded for the purpose of carrying out the provisions of Section 3.3.

SEC. 18.19. REPEALED. (Ord. 665-F, effective Feb. 15, 1962.)

SEC. 18.20. REPEALED. (Ord. 665-F, effective Feb. 15, 1962.)

SEC. 18.21. REPEALED. (Ord. 665-F, effective Feb. 15, 1962.)

SECTION 19. REMEDIES

The Department of Building and Safety Engineering, through its officers, inspectors or employees, or the Corporation Counsel, shall institute any appropriate action or proceeding in law or equity to prevent, restrain, correct, or abate any violation of the provisions of this Ordinance. In any proceeding for the violation of any provision of this Ordinance by the parking, storing or placing of a motor vehicle on land or premises, the registration plate displayed on such motor vehicle shall constitute in evidence a prima facie presumption that the owner of such motor vehicle was the person who parked, stored or placed such motor vehicle at the point where such violation occurred.

SECTION 20. BOARD OF ZONING APPEALS

SEC. 20.1. BOARD ESTABLISHED

There is hereby established a Board of Zoning Appeals, which shall perform its duties and exercise its powers as provided by law in such a way that the objectives of this Ordinance shall be observed, public safety secured, and substantial justice done.

SEC. 20.2. PERSONNEL OF THE BOARD

After the effective date of this amendment, the Board shall consist of six members appointed by the Common Council for a term of three years: Provided, however, in order to provide for the appointment of two members each year, the term of the sixth member appointed hereunder shall expire December 31, 1953; thereafter the appointment shall also be for the full term of three years. The members shall be citizens of the United States and