

## The Secord Township Zoning Ordinance

The following are revisions and or additions to the Secord Township Zoning Ordinance of 2014. The following have been adopted by the Board at their Board meeting on November 13, 2017.

The following will be published in the Gladwin County Record on November 22, 2017.

The following changes and additions will go into effect on November 30, 2017.

### Section 3.16 - Recreational Vehicles and Travel Trailers

#### A. Overnight Camping:

1. Overnight camping on private property shall be permitted in Districts R-1, R-2 and A-1 providing that the recreational vehicle or travel trailer shall carry a current state license plate and be suitable for highway travel.
2. Yard setback requirements for the Zoning District where the unit is located shall be met at all times.

#### Set Backs:

R-1 Districts:	10 feet from side property lines	40 feet from the water's edge
		40 from the road right of way
		40 feet from back and corner lines
R-2 Districts:	10 feet from side property lines	40 from the road right of way
		40 feet from back and corner lines
A-1 Districts:	20 feet from side property lines	40 from the road right of way
		40 feet from back and corner lines

3. A maximum of two (2) travel trailers or recreational vehicles may be on a parcel at any one time. If there is a travel trailer or recreational vehicle in storage on the parcel then only one additional travel trailer or recreational vehicle may be used.

#### B. Storage:

In R-1, R-2 and A-1 Districts, travel trailers and recreational vehicles may be stored subject to the following conditions:

1. The travel trailer or recreational vehicle shall carry a current state license plate. No more than one travel trailer or recreational vehicle may be stored on a parcel.

2. Yard setback requirements for the district where the unit is located shall be met at all times.
3. If the unit is stored inside a fully enclosed compliant structure then it does not count as “stored unit”.

**C. Holidays and Special Occasions:**

**1. Holidays:**

For the holidays of Memorial Day, 4th of July and Labor Day you may be able to get a special exemption to have up to four campers or RV's on your parcel.

- a. You may request to add additional units for a total of four units one time per year. The additional units may be on the parcel for up to 5 days.
- b. This must be approved by the Zoning Administrator and a no charge permit is required.

**2. Special Occasions:**

For family reunions, anniversaries, special birthdays etc. you may be able to get a special exemption to have up to four campers or RV's on your parcel.

- a. You may request to add additional units for a total of four units one time per year. The additional units may be on the parcel for up to 5 days.
- b. This must be approved by the Zoning Administrator and a no charge permit is required.

End of Section 3.16

**Section 3.20 – Fences and Walls**

A. Except for as provided in **§3.20.D** or unless specifically provided for by other provisions in this Ordinance, fences, walls, or hedges may be permitted on any property in any District. The following standards shall apply:

**1. R-1 and R-2 Districts:**

**A.1.a.** Height: Maximum of four (4) feet in Front Yards.

**A.1.b.** Shall meet District setbacks for all Front Yards, Water Fronts and Road Sides.

**A.1.c.** Notes: The Front Yard is the water side of water front property; it is the Road Side if not water front property.

The Front Yard begins at the front face of the dwelling or main structure.

The Setbacks from the road right of way or water's edge is always forty (40) feet.

The maximum height of the fence is six (6), except in front yards.

The maximum height of the fence in the Front Yard is four (4) feet.

2. C-1, C-2, and A-1 Districts:

A.2.a. Height:

Front Yard: Maximum height of four (4) feet.

Rear and Side Yards: Maximum height of eight (8) feet.

A.2.b. For agricultural, commercial or industrial uses, side and rear yard fences may be a maximum of eight (8) feet.

A.2.c. Setback:

A.1.a.i. Front Yard: Minimum forty (40) feet.

A.1.a.ii. Side and Rear Yards: No required setback unless property is a corner lot.

A.1.a.iii. The Setbacks from the road right of way or water's edge is always forty (40) feet.

B. The height of a fence is measured vertically from the normal surface of the ground to the top of the fence/post combination. For the purposes of fencing, the front yard shall be considered as beginning at the front of the primary structure to the front property line. Fences or walls installed or constructed in accordance with the provisions of this Ordinance shall not obstruct sight distances needed for safe vehicular traffic (see **§3.11**), nor create a hazard to traffic or pedestrians.

C. Subdivisions, Site Condominiums and Planned Unit Developments: Chain link fences shall not be used in the front yard in any platted subdivision, site condominium development, or planned unit development. The height of fences in any platted subdivision, site condominium or planned unit development shall not exceed six (6) feet in the side or rear yard. Front yard fence height and setback requirements shall be the same as in **§3.20.A.1**

D. Except for fences constructed for agricultural purposes in A-1 Districts:

1. All fences shall be finished on both sides.
2. The portions of all fences facing property other than the property of the fence owner or facing a street right-of-way shall be finished so that, to the extent possible by the design of the fence, the fence posts and the horizontal and/or vertical fence supports are not visible from that other property or from the street right-of-way.
3. All fences shall be maintained in good condition and shall not constitute a safety hazard. Any fence not maintained as required by this subsection shall be removed by the owner of the fence.

4. Barbed wire and electrified fencing is prohibited in R-1 and R-2 districts unless the said party obtains a permit and approval from the Planning Commission.
5. No fence shall be approved which:
  - a. constitutes a fire hazard either by itself or in connection with the existing structures in the vicinity; or
  - b. interferes or will interfere with access by the Fire Department in case of fire to buildings in the vicinity; or
  - c. will constitute a hazard to street traffic or to pedestrians.

End of Section 3.20

### **Section 3.37 – Rental Property**

The rental of property in Secord Township to permanent or transient renters requires a Rental Property Permit and a well and septic inspection by the CMDHD. The property owner must have the well and septic system inspected by the Central Michigan District Health Department and be in compliance with the current state well and septic regulations. An approved permit will be issued when all inspections have been completed, including completion and final inspection of any necessary repairs or modifications to the well and septic systems.

End of Section 3.37

### **Section 3.38 – Tall Grass and Weeds**

An Ordinance enacted pursuant to the authority of MCL 41.181 et seq., to secure the public health, safety and general welfare of residents, property owners and persons within the Township of Secord, Gladwin County Michigan by the regulation of the height of tall grass and weeds in subdivided lands and upon lands along improved streets within the township and to prescribe the penalties for the violation thereof.

**A Title:**

This Ordinance shall be known and cited as the Secord Township Tall Grass and Weed Ordinance.

**B. Purpose:**

The Township hereby finds that tall grass and weeds can have a blighting effect on neighborhoods and can provide a refuge for vermin and insects. The purpose of this ordinance is to secure the public health, safety and general welfare of the residents and property owners of Secord Township by regulating the height that grass and weeds are allowed to grow in certain areas of the township in which people reside in close proximity.

**C. Land Subject to Regulations:**

1. This ordinance applies to the following:

- a. Lots in a platted subdivision, site condominiums with a structure.
  - b. Vacant lots within platted residential subdivisions in which buildings have been erected upon 60 percent or more of the lots.
  - c. On parcels of land along improved streets in common usage within the township, to a depth of one hundred sixty five (165) feet or the depth of the ownership, whichever is the lesser.
2. This ordinance does not apply to:
- a. Land used for agricultural purposes including weeds in fields devoted to growing any small grain crops such as wheat, oats, barley, or meadows.

**D. Duty to Cut Grass:**

The owner and/or occupants of land to which this ordinance applies shall not allow tall grass or weeds to grow over eight inches (8") in height throughout the growing season, including grass and weeds in the right-of-way. And it shall be the duty of all owners and/or occupants of land located in Secord Township either to cut or otherwise destroy by lawful means all tall grass and weeds as defined in this ordinance, which are growing upon said property, before they reach a seed-bearing stage, and to prevent said weeds from perpetuating themselves and from becoming a detriment to public health.

**E. Unlawful Acts:**

It shall be unlawful for the owner and /or occupant of any lot or parcel of land to which this ordinance applies to allow or maintain upon any portion of such lot or parcel any growth of tall grass or weeds as defined herein, or to permit the deposit or accumulation upon any portion of such lot or parcel of land, of any brush, yard debris dead vegetation, or cut grass or weeds so as to create a nuisance due to unsightliness, an unhealthy or unsafe condition, or traffic hazard, or fire hazard. Growth of grass to a length greater than eight (8) inches shall be considered to be a nuisance for the purposes of this section.

**F. Enforcement:**

1. **Enforcement Officer:** This Ordinance shall be enforced by such persons who shall be so designated by the Township Board, who shall for purposes of this ordinance be the Secord Township Ordinance Enforcement Officer (OEO) or other designated persons by the Township Board.
2. **Right of Entry:** The Ordinance Enforcement Officer and his or her authorized representatives and lawn contractors are hereby empowered to enter upon any premises or land in Secord Township for the purpose of inspecting, removing of and/or destroying of tall grass and weeds prohibited under this ordinance. No person shall molest or interfere with such person or persons while they are engaged in carrying out the provisions of this ordinance.
3. **Violation Notice:** After inspection, if any property is determined to be in violation of this ordinance, a Violation Notice will be sent to the property owner and/or occupant of said premises in which the name appears in the last local assessment record of the Township. The notice shall be sent by Registered Letter and/or by posting a copy of said notice on the property. The notice shall give the property owner fifteen (15) days from the date of the notice to cut the tall grass and weeds.
4. **Failure to Comply:** If the tall grass and weeds are not cut within fifteen (15) days

the OEO shall have the authority to enter upon the land and /or to cause the lawn to be mowed by an authorized representative who is hereby empowered to enter upon any premises or land in Secord Township for the purpose of mowing tall grass and weeds in violation of this ordinance even if the property owner and/or occupant failed to actually receive said notice. The Township of Secord, its agents and representatives shall not be responsible for damage to buildings, vehicles, landscape, trees, shrubs, etc., during the mowing of the property in violation of this ordinance.

**5. Assessment of Costs:** All expenses of such cutting, to include equipment usage, transportation, man-hours involved, and overhead, including any and all cost incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient to carry out the requirements of this Ordinance shall be paid by the owners of such land plus an administrative fee of twenty five (25%) percent, thereof per residential parcel, per cutting. After having a lot mowed, the Township shall then submit a bill to the property owner for the cost of the mowing. If the property owner does not pay the bill within sixty (60) days of the date of the invoice the cost of such payment shall be charged against the premises and it shall become a lien created by general law for taxes, plus an additional delinquency fee of 10% per month until paid.

**G. Penalties:**

Penalties shall be as defined in Article 10: Administration and Enforcement

**H. Declaration of Nuisance:**

Any violation of any provision of this Ordinance is hereby declared to be a nuisance and the Township may seek enforcement of the Ordinance by suit for injunction, damages, or other appropriate legal action, as against a nuisance, at the expense of the property owner under MCL 600.2940(3), including reasonable attorney fees. Any such civil action shall be in addition to any prosecution for violations of this Ordinance as a Municipal Civil Infraction. Commencement of any such proceedings shall not constitute an election of remedies.

**I. Severability:**

The several provisions of this ordinance are declared to be separate; if any Court shall hold that any section or provision hereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this ordinance.

End of Section 3.38

**Section 3.39 – Peddler, Canvasser and Solicitors**

**A. Short Title:** Peddler, Canvasser and Solicitors Ordinance

**. Purpose:**

The terms and provisions of this ordinance is to prohibited uninvited entry, obstruction of public ways and areas, fixed stands, curb service and shouting or use of other devices to attract attention and all use of temporary vending facilities per Attorney General Opinion 7266 of 2012

**C. Prohibited Acts:**

It shall be unlawful and is declared to be a nuisance for peddlers, solicitors, and canvassers of goods and services engaged in commercial business for profit to go in and upon private residences in the township not having been requested or invited to do so by the owners or occupants of such private residences for the purpose of disposing of or peddling goods, wares and merchandise or for the purpose of soliciting orders for the sale of goods, wares and merchandise to be delivered in the future and services to be furnished or performed in the future

**D. Licensing Requirements:**

No person covered by the Ordinance shall engage in the business of peddler, hawker, huckster, solicitor, transient merchant, itinerant merchant, and itinerant vendor in Secord Township without first obtaining a permit. No permit shall be granted except upon approval of the Township Board.

**E. Application for License:**

The license applicant, under the provisions of this Ordinance, shall furnish the following information:

1. Name of the applicant, including date of birth, social security number, and driver's license number.
2. Permanent home address and full local address of the applicant.
3. A brief description of the nature of the business and the goods to be sold.
4. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
5. The length of time for which the right to do business is desired.
6. The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time said application is filed, and the proposed method of delivery and warranty provisions.
7. A photograph of the applicant, no less than two inches by two inches, taken within 60 days prior to the date of the filing of the application, showing the head and shoulders of the applicant in a clear and distinguishing manner.
8. The names of at least two reliable property owners of Secord Township, who will certify as to the applicant's good character and business respectability, or, in lieu of the names of references, such other available evidence as to the good character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and business responsibility.
9. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefore.

**F. Exemptions from Permits:**

If a peddler, solicitor, or transient merchants is exempt from the licensing provisions of this Ordinance, they shall still be required to complete and sign the permit and solicitor's application prior to peddling, soliciting or merchandising goods in the Township.

### **G. Exempt Persons:**

The following shall be exempt from the licensing requirements of this chapter, but shall be subject to the other provisions hereof:

1. Farmers or truck gardeners selling or offering for sale, any products grown, raised or produced by them.
2. Persons under 18 years of age, when engaged in peddling or soliciting on foot in the neighborhood of his or her residence under the direct supervision of an Gladwin County school and/or a recognized charitable or religious organization. Children under the age of 14 must be accompanied by a parent or adult. Accompaniment requires a physical presence within 100 feet of said child by the parent or adult.

### **H. Prohibited Acts and Practices:**

The following conduct, in addition to any other prohibitions imposed by this Ordinance, shall be prohibited and shall be punishable as a violation of this Ordinance.

1. Entering a private residence under pretenses other than for soliciting or peddling.
2. Remaining in a private residence or on the premises thereon after the owner or occupant thereof has requested any such person to leave.
3. Going in and upon the premises of a private residence by such person to solicit or peddle when the owner or occupant thereof has displayed a "no soliciting" or "no peddling" sign on such premises.
4. Soliciting or peddling at a private residence prior to 10:00 a.m. or after official sunset time, or at any time on a Sunday, or on a state or national holiday.

### **I. Obstruction of Public Ways and Areas:**

No person covered by the Ordinance shall, in the sale of goods, wares and merchandise, obstruct any street, alley, sidewalk or driveway, or remain, barter, sell, offer or expose for sale any goods, wares, merchandise or set off any fireworks in front of or at the side of any property against the wish or desire of the property owner or the tenant or occupant of such property. No person covered by the Ordinance shall engage in peddling on any street, alley or public place after having been requested to desist by any police officer of the Township because of congested or dangerous traffic conditions.

### **J. Fixed Stands:**

No person covered by the Ordinance shall stop or remain in any one place upon any street, alley or public place longer than necessary to make a sale to a customer wishing to buy. Any person covered by the Ordinance using a vehicle, trailer or any sort of conveyance, when stopped, shall place his vehicle parallel to and within 12 inches of the curb and shall depart from such place as soon as he has completed sales with customers actually present

### **K. Curb Service**



No person covered by the Ordinance shall operate or maintain any stand, vehicle, store or place of business on or near any highway in such a manner that the customers of or traders with such person occupy or congregate within the limits of any street, highway or public place within the Township. No person covered by the Ordinance shall be permitted to use the streets, alleys or public places of the Township for the service of customers or for the transaction of business, or to use any stands, stores or other places of business in any manner that shall require the customer, when transacting the business, to stand in the right of way of any streets, highways, alleys, or public places of the Township

**L. Shouting or Use of Other Devices to Attract Attention:**

No person covered by the Ordinance shall shout or cry out his goods or merchandise, nor blow any horns, or use any other similar device to attract the attention of the public

**M. Violations and Penalty:**

See Article 10: Administration and Enforcement of Ordinance, Section 10.8 Violation and Penalties

**I. Severability:**

Should any provision or part of the Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of enforceability of the balance of this Ordinance which shall remain in full force and effect.

End of Section 3.39

**Section 3.40 – Fire and Rescue Run Emergency Services Charges**

An Ordinance to establish charges for fire department services under Michigan Public Act 33 of 1951, as amended (MCL 41.801 etc.) and to provide methods for the collection of such charges and exemptions there-from.

**A. Short Title:** Section 3.40: - Fire and Rescue Run Emergency Services Charges

**B. Purpose:**

This Ordinance is adopted for the purpose of providing financial assistance to the Township in the operation of a fire department from those receiving direct benefits from fire protection or emergency services. It is the further purpose of the Ordinance to provide for a portion of the costs incurred by the Secord Township Fire/Rescue Department for certain emergency services provided.

**C. Charges:**

Charges shall hereafter be imposed upon responsible parties. The Township Treasurer shall bill by first class mail with postage fully paid to the person, persons or entity which received, required, necessitated or caused to be rendered the service, and the bill shall be due and payable to the Township within 90 days of the mailing of said bill. Charges shall be made for, but not limited to, replacement costs related to disposable personal protective equipment, extinguishing agents, environmental cleanup and time committed by Fire Department personnel. Charges shall be allowable any time Secord Fire and/or Rescue personnel are required to be physically involved in

responding to an emergency situation within their jurisdiction. Should Secord Fire and Rescue be called for Mutual Aid in another jurisdiction, there shall be no charge, even if Secord is first on scene. Specific charges for services rendered shall be posted at the Secord Township Hall and at the Secord Fire Hall. Any default of payment shall be collectible through proceedings in district court or in any other court of competent jurisdiction as a matured debt.

**D. Appeal:**

Any party aggrieved by a charge authorized in this Ordinance may appeal the charge as follows:

1. Within the time period for which a bill is payable, the party shall file a written request with the Township Clerk setting forth specific reasons why the charge is improper.
2. The Clerk shall notify the aggrieved party, in writing, of the time, place and date the Appeals Board will hold a hearing on the issue.
3. The Appeals Board may grant relief on appeal if it finds good cause and sufficient proof to satisfy the Board.
4. The Appeals Board may extend the time for payment for a reasonable period, not to exceed one (1) year.

**E. Appeals Board:**

The Appeals Board shall consist of the Township Supervisor (or designee) and two other members of the Township Board. (or their designees). The Secord Township Fire Chief or Assistant Chief shall be available whenever the Fire Charge Appeals Board meets.

**F. Exemptions:**

The following properties and services shall be exempt from the foregoing charges:

1. False alarms and
2. Fires involving Township buildings, grounds and/or property

**G. Collection of charges:**

The Township may proceed in district court by suit to collect any monies remaining unpaid and shall have any and all other remedies provided by law for the collection of said charges.

**H. Multiple property protection:**

When a particular service rendered by the Township Fire Department directly benefits more than one person or property, the owner of each property so benefited and each person so benefited where property protection is not involved shall be liable for the payment of the full charge for such service herein before outlined. The interpretation and application of this section is hereby delegated to the Township Fire Chief subject only to appeal, within the time limits for payment, to

the Township Board and shall be administered so that charges only be collected from the responsible parties.

**I. Severability:**

Should any provision or part of the Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of enforceability of the balance of this Ordinance which shall remain in full force and effect.

End of Section 3.40

**Section 3.41 – The Fireworks Ordinance**

An Ordinance enacted pursuant to the authority of MCL 41.181 et seq., to secure the public health, safety and general welfare of residents, property owners and persons within the Township of Secord, Gladwin County Michigan by the regulation of Fireworks within the township and to prescribe the penalties for the violation thereof.

**A Title: Section 3.41: - The Fireworks Ordinance**

This Ordinance shall be known and cited as the Secord Township Fireworks Ordinance.

**B. Purpose and Intent:**

The purpose of this ordinance is to permit the display and sale of fireworks in Secord Township in a manner that conforms to the requirements of the law as provided in PA 256 of 2011 and Michigan Fire Safety Act, MCL 28.451-28.471 and the International Fire Code (IFC). This ordinance also provides the minimum requirements necessary to promote an event that minimizes any risk to the community residents and display observers. While the ordinance requires a permit, the holder of the permit still bears the responsibility to ensure all activities are conducted in a manner that meets and /or exceeds the minimum criteria. Low impact fireworks are not included and do not require a permit.

**C. Ignition and Discharge:**

Consumer-grade fireworks, 1.4 G, cannot be used from 12:00 A.M. to 8:00 A.M

Professional grade fireworks, 1.3 G, cannot be used from 12:00 AM. to 8:00 A.M.

**D. Permit Requirements:**

1. The permit form shall be obtained from the Township and be submitted at least sixty (60) days prior to display or sale to allow the Township and the Fire Department time to review and verify the application.
2. A copy of all required state and federal permits for the fireworks display or sale shall be submitted with the application along with the information as to the competency and qualifications of the operators, as required by (National Fire Protection Association) NFPA 1, 1123, 1124, 1126 and NFPA 1129 also MCL 750.243 b (5).
3. The site plan of the area where the fireworks display or sale is to be conducted shall be submitted

with the application. The site plan must include complete detailed scale drawings of the entire effected area. A minimum safe area of 250 feet radius plus an additional 70 feet in radius for each inch by which the fireworks shell exceeds three (3) inches in diameter shall be required. However in no event shall the applicant fail to comply with requirement NFPA 1123.

4. The applicant shall cause the site of the fireworks display or sales area to be cleaned up within twenty four hours after the fireworks display or sale has ended.
5. The approved Permit must be posted on the site.
6. Any unmanned free-floating devices like luminaires or sky lanterns, which require a fire underneath to propel it and is not moored to the ground while aloft, has an uncontrolled and unpredictable flight path and descent area so as to pose a potential fire risk are prohibited.

**E. Insurance Requirements:**

The individual, organization or corporation sponsoring the event shall secure a liability insurance/property damage liability policy that identifies Secord Township as the co-insured entity. The insurance policy is required for 1.3 G Professional grade fireworks and shall be a minimum amount of \$10,000,000.00

**F. Operators:**

The operators or persons conducting the sale of Fireworks or igniting and discharging the pyrotechnic display shall follow (National Fire Protection Association) NFPA 1, 1123, 1124, 1126 and 1129 for fireworks and /or the Township requirement set forth herein, whichever are more restrictive.

**G. Severability:**

The several provisions of this ordinance are declared to be separate; if any Court shall hold that any section or provision hereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this ordinance.

End of Section 3.41

**Section 5.7 –Tables of Uses Permitted by Right and Special Land Uses**

	<b>UTILITIES/ENERGY/COMMUNICATION</b>	<b>R-1</b>	<b>R-2</b>	<b>C-1</b>	<b>C-2</b>	<b>A-1</b>
1	Commercial Wind Energy Facilities and Anemometer Towers	-	S†	S†	S†	S†
2	On-Site Wind Energy Systems	-	S†	R†	R†	S†
3	Solar Farms	-	S	S	S	S
4	Public utility facilities (without storage yards)	-	S	R	R	S
5	Public utility facilities (with storage yards)	-	S	R	R	S
6	Antenna co-located on existing telecommunications towers or alternative tower structures	R†S†	R†S†	R†S†	R†	R†S†
7	Telecommunications Towers & Facilities & Alternative Tower Structures (Wireless Communications Support	-	S†	S†	S†	S†

Structures)						
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**Table 5.14: Utilities, Energy and Communication**

End of Section 5.7

**Section 9.23 – Medical Marihuana Primary Caregiver Facilities**

This existing Section 9.23 is deleted and will be replaced by the following Section 9.23.

**Section 9.23 – “Open”**

**Reserved for future use.**

**Section 2.1 – Definitions**

The following definitions have been added to Section 2.1 - Definitions

**Grass:** Any type of grass or weed, but not including crops grown as a source of income.

**Weeds:** Any that, in the opinion of the Township Board, comes under the provisions of the Noxious Weeds Act, Public Act 359 of 1941, as amended (MCL 247.61, *et seq.*), including grass over eight (8) inches in height, other than that part of a vegetable or flower garden, is regarded as a common nuisance.

**Owner:** Any person holding an ownership interest in land in the Township of Secord upon which there is tall grass growing. For the purposes of this Ordinance, the name and address listed on the Township tax assessment roll shall indicate ownership interest in such land.

**Occupant:** Any person who has the right to occupy a parcel of property due to being an owner or pursuant to a verbal or written lease or rental agreement with the owner or agent thereof.

**Land Used for Agriculture:** The use of land for tilling of the soil, the raising of field or tree crops or animal husbandry, as a source of income.

**Canvasser and Solicitor:** Means any individual, whether a resident of the township or not, travelling either by foot, wagon, automobile, motor truck, boat or any other type of conveyance from house to house, or from street to street, taking or attempting to take orders for sale of goods ( Most abide by 2009 FDA Food Code), wares and merchandise, personal property of any nature whatsoever for future delivery, or for services (including home repair and improvements) to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sale or services, or not, provided that such definition shall include any person who, for himself, or for another person, hires, leases, uses, or occupies any building, structure, tent, railroad boxcar, hotel room, lodging house, apartment, shop, or any other place within the village for the sole purpose of exhibiting samples and taking orders for future delivery.

**Peddler:** Means any person, whether a resident of the township or not, traveling by foot, wagon, automotive vehicle, boat, or any other type of conveyance from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, fireworks, garden truck farm products or provisions, offering and exposing for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer such articles for sale from a wagon, boat, automotive vehicle, or other vehicle or conveyance. The term "peddler" shall include the terms "hawker" and "huckster".

**Transient Merchant:** Defined as any person whether as owner, agent, consignee or employee, who engages in a temporary business of selling and delivering goods, wares and merchandise within Second Township and who in the furtherance of such purpose hires, leases, uses or occupies any building, structure, motor vehicle, tent, box car, trailer or boat, public room in hotels, lodging houses, apartments, shops or any street, alley or other place within the City, for the exhibition and sale of such goods, wares and merchandise either privately or at public auction. This definition shall not include any person who while occupying such temporary location, does not sell from stock, does not take deposits, but exhibits samples only for the purpose of securing orders for future delivery. The word Transient Merchant shall include the words Itinerant Merchant and Itinerant Vendors.

**Fireworks:** Means a device made from explosive or flammable composition used primarily for the purpose of producing a visible display or audible effect or both by combustion, deflation or detonation. They must be classified as UN0431 or UN0432 under 49 CFR 172.101.

End of Section 2.1

End of Additions and Revisions to this Ordinance.