

**2002 BUSINESS REGISTRATION ORDINANCE**

**ORDINANCE NUMBER 45**

**Adopted: August 5, 2002**

**AN ORDINANCE ESTABLISHING A REGISTRATION PERMIT FOR INDIVIDUALS,  
PARTNERSHIPS, CORPORATIONS, LIMITED LIABILITY COMPANIES OR OTHER  
ORGANIZATION THAT OPERATE A BUSINESSES IN THE TOWNSHIP OF  
BAINBRIDGE, BERRIEN COUNTY, MICHIGAN**

**WHEREAS**, it is deemed necessary and appropriate to establish a process by which all individuals, partnerships, corporations, limited liability companies or any other organization doing business in the Township of Bainbridge shall be registered with the Township Clerk, of the Township of Bainbridge, Berrien County, Michigan.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

**SECTION 1 - DEFINITIONS:** For the purposes of this ordinance, the following words and phrases shall have the meanings respectfully ascribed to them:

**BUSINESS:** Any business whether corporate, partnership, limited liability company, or individual sole proprietorship, which for consideration undertakes or purports to have the capacity to undertake, or submits a bid to, or does himself or by or through other personnel employed by the business, provides goods or services of any type.

**OFF-SITE SIGN BUSINESS:** For the terms of this ordinance, any sign having information of any type, not specifically related to a business located on the same zoning lot is declared to be a business.

**COMMUNICATION TOWER BUSINESS:** For the terms of this ordinance, any communication tower which has or may have, capacity to be leased or licensed by the owner to a communication provider is declared to be a business.

**AGRICULTURAL BUSINESS EXEMPTION:** The sale of agricultural products grown or in the case of animals, either bred or raised, on an farm located in a appropriate zoning district as set forth in the Township Zoning Ordinance are exempted from the term of business as used in this ordinance.

**TOWNSHIP:** Township of Bainbridge, Berrien County, Michigan.

**SECTION 2 - REGISTRATION PERMIT REQUIRED:** It shall be unlawful for any person, in any capacity including corporate, partnership, limited liability company, or individual sole proprietorship, to engage in business in the Township without having first obtained a registration permit, to be renewed Bi-Annually (every two years) on January 1<sup>st</sup>, or to violate the terms of any such permit, when granted.

**SECTION 3 - APPLICATION AND CONTENTS:** Application for a business registration permit shall be made to the Township Clerk in writing, signed by the applicant if an individual, and signed by all partners if a partnership, or by a duly authorized officer thereof, if a corporation or limited liability company, verified by oath or an affidavit and shall contain:

- (1) the name of the applicant;
- (2) the type of business;
- (3) the time period covered by the registration;
- (4) the fee to be paid (if any);
- (5) the address of the business for which any notice required herein is to be mailed;
- (6) the phone number of the business;
- (7) an emergency contact person and phone number (to be filed with the Fire Department);
- (8) whether any materials are stored upon the premises which are flammable, toxic or hazardous;
- (9) other information as may be required by the Township Board of Trustees, and
- (10) in the case of Home Occupation businesses;
  - a. the square footage of the principal use building and/or any accessory use building housing the home occupation,
  - b. the number of non-family employees working in the home occupation business.

**SECTION 4 - APPLICATION, FEE FILING PROCEDURES, PERMIT:** An application for a business registration permit shall be accompanied by an application fee in an amount to be determined by the Township Board of Trustees, from time to time by resolution, payable to the Township Clerk. Forms for registration shall be provided by the Township Clerk and completed applications kept on file by the Township Clerk.

The Township Clerk shall issue a registration permit bearing the seal of the Township, name of

the permittee, address, type of registration permit issued, the amount of fee paid and any other information required by the Township Board of Trustees. The Township Clerk shall maintain a list of registration permits issued and provide a copy upon request to the general public.

**SECTION 5 - NONTRANSFERABLE:** No registration permit issued under the provision of this ordinance shall be transferable.

**SECTION 6 - SUSPENSION AND REVOCATION :** In addition to any other penalty imposed by this ordinance or other Township ordinance for violation of any provision of the Ordinance or regulation, a registration permit issued under the provision of this ordinance may be suspended or revoked by the Township Board of Trustees after hearing. All orders suspending or revoking registration permits shall state the grounds therefore, shall be signed and be subject to appeal to a court of competent jurisdiction.

**SECTION 7 - GROUND FOR SUSPENSION AND/OR REVOCATION:** The violation of any applicable section of this ordinance, any other Township ordinance or State law, shall constitute grounds for the suspension or revocation of a registration permit.

**SECTION 8 - RENEWAL OF REVOKED PERMITS RESTRICTED:** No registration permit shall be issued to a person, firm, corporation or limited liability company whose previous permit has been revoked, for period of one year from the date of such revocation. Said period shall be determined by the Township Board of Trustees.

**SECTION 9 - REGISTRATION PERMITS MUST BE IN EFFECT:** It shall be the absolute duty and irrevocable responsibility of the registrant to verify that all requirements of this ordinance are lawfully in effect before commencing any business operation regulated by the terms of this ordinance.

**SECTION 10 - PENALTY:** Any violation of this Ordinance shall be a civil infraction and subject the violator to a fine of not more than \$100 per day of violation. Each day a violation exists shall constitute a separate offense.

**SECTION 11 - REPEAL OF CONFLICTING ORDINANCES:** All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**SECTION 12 - SEVERABILITY:** This Ordinance and each of the various parts, subsections, sentences, phrases, clauses, and words are hereby declared to be severable. If any parts, subsection, sentence, phrase, clause or word is determined 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 and shall remain in full force and effect.

**SECTION 13 - EFFECTIVE DATE:** This Ordinance shall become effective on August 5, 2002.

**SECTION 14 - ADOPTION:** Passed, adopted and approved this 5 th day of August, 2002 by the Board of Trustees, Bainbridge Township, Berrien County, Michigan.

**BOARD OF TRUSTEES**

**BAINBRIDGE TOWNSHIP, BERRIEN COUNTY, MICHIGAN**

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Attest:

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Clerk

Resolution offered by Patricia Hiler-Molter supported by Debra Grieser to approve Ordinance 45 Registration of Business. The clerk called the roll.

VOTING IN FAVOR OF:     Trustee Donald Baiers  
                                  Trustee John Yetzke  
                                  Clerk Debra A. Grieser  
                                  Supervisor Patty Hiler-Molter

VOTING AGAINST:         Treasurer James Lull

MOTION CARRIED.

I hereby attest that the foregoing Ordinance was adopted by the Township Board of the Township of Bainbridge, County of Berrien, State of Michigan, at a regular meeting held on the 5<sup>th</sup> day of August, 2002.

Dated: August 5, 2002.

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Debra A. Grieser  
Bainbridge Township Clerk

I further certify that the foregoing Ordinance was published and filed as follows:

Published In: Tri-City Record  
Date of Publication: August 21, 2002  
(Newspaper Proof of Publication Attached)

Dated: August 5, 2002

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Debra A. Grieser  
Bainbridge Township Clerk