

ORDINANCE NO. 2024-11
CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part II: General Legislation; Chapter 278, Disorderly Conduct; Article VI Offenses Directed Against Public Order; Section 278-37D Disturbances of the peace, construction activity, to amend the fugitive dust regulations to require treatment for dust prevention for demolition activities pursuant to the city's police power to protect the public health, safety and welfare.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendment.

That Section 278-37D Disturbances of the peace, construction activity, of Article VI Offenses Directed Against Public Order, of Chapter 278, Disorderly Conduct, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

- D. At all times the necessary steps shall be taken to ensure that dust, soil, or other material shall not become airborne and travel beyond the construction site property lines. Such steps could include water, chemical treatment, or other ground cover treatment as approved by the Building Official. The treatment shall be of sufficient volume or size to contain the dust. In the instance of structure demolition, a continuous water spray of sufficient volume or size shall be required during any demolition activity on the site. In addition, fencing and/or screening pursuant to the City's building code may be required by the Building Official. Such activity will be maintained throughout the duration of the construction activity or until a permanent covering is installed.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Michael Fournier, Mayor

Melanie Halas, City Clerk

Date Adopted: 08/26/2024

Date Published: 08/28/2024

Effective Date: 09/07/2024