

Part 10

**10.000 DRILLING FOR GAS/OIL; CONTROL AND
OPERATION
Ord. No. 21 (100)**

An ordinance to control the drilling for gas and/or oil and the operation of gas and/or oil wells within the corporate limits of the Village of Hopkins, Michigan.

THE VILLAGE OF HOPKINS ORDAINS:

10.001 Permit required.

Sec. 1. No person or corporation shall drill any oil or gas well within the corporate limits of the Village of Hopkins, without first having obtained a permit so to do from the Village Council.

10.002 Application for permit.

Sec. 2. Application for permission to drill an oil or gas well within the corporate limits of the Village of Hopkins, shall be made in writing to the Village Council, which application shall set forth the exact location of the proposed oil and/or gas well, the name of the person or corporation requesting the permit, the name or names of the holders of the leasehold interests, and the name of the drilling contractor.

10.003 Issuance of permit.

Sec. 3. Upon receipt of an application the Village Council shall, within a reasonable time thereafter cause to be issued a permit, in compliance with the terms of this Ordinance, if a majority of the members of the Council are satisfied that the person or persons making application for this permit have complied with all of the conditions herein set forth.

10.004 Permit fee.

Sec. 4. A charge of twenty-five dollars shall be made for each and every permit issued by the Council, which funds shall be used for the enforcement of this Ordinance.

10.005 Insurance, public liability.

Sec. 5. Each applicant for a permit, under this Ordinance shall file with his request, a certificate from an insurance carrier licensed to do business within the State of Michigan, indicating that the applicant for a drilling permit has public liability insurance in force, in the sum of not less than twenty-five thousand dollars.

10.006 Brine disposal.

Sec. 6. In the event that brine is encountered in any drilling operation it shall be disposed of, by sub-surface disposal approved by the Michigan Department of Conservation. No surface disposal of brine shall be permitted.

10.007 Storage of crude petroleum.

Sec. 7. No crude petroleum shall be stored in tanks or open storage within the area designated in Sec. 1 of this Ordinance. All petroleum and gas produced from any well within the territory described in Sec. 1, shall be piped outside the Village limits by pipeline buried at least 18 inches under the surface of the ground.

10.008 Filling of slush pits.

Sec. 8. All slush pits, at any well, shall be filled within a reasonable time after completion or abandonment of the well.

10.009 Covering of slush pits.

Sec. 9. No slush pit at any well located within the corporate limits of the Village shall be burned off. Before the slush pit is covered, all oil must be removed from the pit and disposed of outside corporate limits of the Village.

10.010 Rules and regulations.

Sec. 10. All of the general rules and regulations governing oil and gas operations in the State of Michigan made pursuant to the Provisions of Act No. 61 of the Public Acts of Michigan 1939, as amended, shall be and are hereby made a part of this Ordinance, except Section 19 of Act No. 61 Public Acts of 1939 wherein penalties for violations are provided.

10.011 Pumping of wells.

Sec. 11. No well within the Village limits shall be pumped by motive power other than electrical.

10.012 Enactment.

Sec. 12. This Ordinance is enacted under the Police power of the Village, as set forth in Chapter 7 of the Charter of the Village of Hopkins and under the authority of Section 5.1404 of Michigan Statutes Annotated, and is hereby declared to be necessary to protect the public health, welfare and safety.

10.013 Abatement.

Sec. 13. Any drilling or production operation not conforming with the terms of this Ordinance and all general rules and regulations governing oil and gas operations in the State of Michigan, made pursuant to the Provisions of Act No. 61 of the Public Acts of Michigan 1939 is hereby declared to be a nuisance, which may be abated by any appropriate means, by the Council of the Village of Hopkins.

Cross reference—Nuisances and abatement of, Pt. 52.

10.014 Effective date.

Sec. 14. This Ordinance, because of the urgency of the situation and the need of immediate protection from the risk of fire, is hereby declared to be immediately effective. It is directed that publication of this Ordinance be made in compliance with Section 4, Chapter 6 of the Charter of the Village of Hopkins.



Part 11

11.000

**ENTERTAINMENT PERMITS
Ord. No. 54**

An ordinance to protect and secure the public health, safety and general welfare by the regulation of certain forms of commercial entertainment and personal service within the Village of Hopkins, Allegan County, Michigan; to provide penalties for the violation of the provisions of this Ordinance and to repeal any ordinances or parts of ordinances in conflict herewith.

THE VILLAGE OF HOPKINS ORDAINS:

11.001 Title.

Sec. 1. This Ordinance shall be known and cited as the Village of Hopkins Entertainment Permits Ordinance.

11.002 Purpose.

Sec. 2. The purpose of this Ordinance is to regulate public commercial entertainers and servers involving dancing, monologues, pantomimes, and other personal type of body exhibitions, contortions or display, and personal service provided by any waitress, barmaid, waiter, bartender, performer, or other person by establishments within the Village where such public commercial entertainment and personal service of customers is presented, promoted, permitted or provided, to thereby prohibit any lewd, obscene, immoral, or unduly sexually stimulating entertainment acts, shows, or personal exhibitions or displays.

11.003 Regulations.

Sec. 3.

- (a) No person, firm or corporation shall permit or allow any form of commercial public entertainment or personal service by any waitress, barmaid, waiter, bartender, performer, or other person of customers to be presented or provided within his, its, or their establishment, nor shall any such

person engage in, present, or provide any form of public entertainment or personal service of customers within the Village of Hopkins, involving any lewd, obscene, immoral or unduly sexually stimulating dancing, monologues, pantomimes, or other type of body exhibitions, contortions, display or personal service. Waitresses, barmaids, waiters or bartenders without substantial covering of the genital area and/or without covering the female breasts at a point immediately above the top of the areola, are specifically prohibited.

- (b) The prohibited conduct, display or personal service prohibited by this Ordinance is hereby defined as that which, when taken as a whole, appeals to the prurient interest in sex, which portrays sexual conduct in a patently offensive way, and which, taken as a whole, does not have serious literary, artistic, political, or scientific value, so that the average person, applying contemporary community standards would find that such conduct, display, or personal service appeals to the prurient interest.

The proprietor of any establishment offering public entertainment and the performer and the personal server shall have the burden of providing compliance with the foregoing provisions in the event of any controversy concerning the same.

11.004 Saving clause.

Sec. 4. The provisions of this Ordinance are hereby declared to be separable and if any clause, sentence, word, section, or provision is declared void or unenforceable for any reason, by any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.

11.005 Penalty.

Sec. 5. Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than One Hundred Dollars (\$100.00), or by imprisonment in the county jail for not to exceed ninety (90) days, or by both such fine and imprisonment. Each day that a violation continues to exist shall constitute a separate offense.

In addition to the foregoing, the Village of Hopkins, through the Village Council of such Village, reserves the right to revoke any entertainment license issued under the terms of the within Ordinance in the event of a violation of any of the regulations herein contained.

11.006 Repeal.

Sec. 6. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.



Part 12

12.000

**OUTDOOR GATHERINGS*
Ord. No. 13**

An ordinance to license, regulate, and control, in the interest of Public Health, Safety and Welfare, outdoor gatherings of persons in excess of 75 in number.

THE VILLAGE OF HOPKINS ORDAINS:

12.001 Purpose.

Sec. 1. The Village Council of the Village of Hopkins finds and declares that the public health, safety, and welfare of the citizens of the Village of Hopkins, require the regulation and licensing and control of assemblies of large numbers of people.

12.002 Defined.

Sec. 2. Outdoor assembly hereinafter referred to as assembly means any event attended by more than 75 attendants, all or any part which include public displays, entertainment, amusement, or the exhibition, but not limited to include musical festivals, peace festivals, or other gatherings.

But does not mean:

- (A) An event sponsored or conducted by a governmental unit, or agency, on publicly owned land or property.
- (B) An event held entirely within the confines of a permanently enclosed and covered structure.

12.003 License required.

Sec. 3. A person shall not sponsor, operate, maintain, conduct, or promote an outdoor assembly in the Village of Hopkins unless he first makes an application for and obtains a license for each assembly.

*Cross references—Nuisances, Pt. 77; sewer use and installation, Pt. 85.

12.004 Application for license.

Sec. 4. Application for such license shall be made to the Village Council of the Village of Hopkins or the Village Clerk at least 60 days prior to proposed date of such assembly.

- (A) Application shall contain person's name and location of proposed assembly.
- (B) If ownership of property is not owned by person applying for license, the Village Council must have written consent by the property owner on record.
- (C) Date or dates of proposed assembly.
- (D) Estimated number of persons attending gathering.
- (E) Detailed map showing:
 - 1. Food and water locations and supplies.
 - 2. Health and sanitation facilities.
 - 3. Vehicle access and parking facilities.
 - 4. Lighting facilities if needed.
 - 5. Noise control and abatement.
- (F) Proposed hours of assembly on said dates.

12.005 Issuance of license.

Sec. 5. Within 40 days the Village Council shall issue, set conditions, or deny said license.

12.006 Revocation.

Sec. 6. The Village Council reserves the right to revoke a license whenever the licensee, his employees, or agents fails, neglects, or refuses to comply with any or all provisions and regulations set forth or with any and all provisions made by the Village Council.

Parts 13–24. Reserved.

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