

The present Section 5.7(12) of the City Code of the City of Bessemer is hereby amended by repealing the present Subsection 12 and adding a new Section 5.7(12) to read as follows:

5.7(12): "Family":

- a. One or more persons related by blood or marriage occupying a dwelling unit and living as a single, nonprofit housekeeping unit.
- b. A collective number of individuals living together in one house under one head, whose relationship is of a permanent and distinct domestic character, and cooking as a single housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, or organizations, which is not a recognized religious order, nor include a group of individuals whose association is temporary and resort-seasonal in character or nature.

This Ordinance shall be effective upon its adoption and publication, as required by law.

Adopted and approved by the City Council of the City of Bessemer, Michigan, this 20th day of May, 1985.

Joseph C. Bonovetz
Mayor

ATTEST:

Bruce W. Carlson
Bruce W. Carlson, City Clerk-Manager

ABG449

ORDINANCE NO. 271

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE CITY OF BESSEMER ENTITLED THE BESSEMER CITY CODE, 1986 EDITION, AND TO PROVIDE A PENALTY FOR THE VIOLATION OF THE PROVISIONS THEREOF.

THE CITY OF BESSEMER ORDAINS:

Section 1. Pursuant to Act No. 279, Public Acts of 1909, State of Michigan, as amended, the City of Bessemer hereby adopts the Bessemer City Code, 1986 Edition, and the printing of said Code is hereby ordered. Said Code contains all Ordinances of the City of a general and permanent nature as compiled, consolidated, amended, revised, rearranged, and codified in Titles I to X, inclusive, of said Code. At least one complete copy of said Code has been and is now filed in the Office of the City Clerk, and shall there remain for public use and inspection.

Section 2. The provisions of the Bessemer City Code, 1986 Edition, shall be effective on and after May 18, 1986, and prior Editions of the Bessemer City Code and all Ordinances of a general and permanent nature of the City of Bessemer adopted prior to February 17, 1986, and not contained in such Code are hereby repealed upon the effective date of the Bessemer City Code, 1986 Edition.

Section 3. The Ordinances of the City of Bessemer of a general and permanent nature contained in the Bessemer City Code, 1986 Edition, are amended, repealed, and rearranged in the particular part of the City Code set out opposite the subject pertaining to such Ordinances, to which reference is hereby made, as follows:

<u>Subject</u>	<u>Title of Code</u>
Administration	I
Utilities and Services	II
Parks and Public Grounds	III
Streets and Sidewalks	IV
Zoning and Planning	V
Food and Health	VI
Business and Trades	VII
Building Regulations	VIII
Police Regulations	IX
Traffic	X

Section 4. This Ordinance shall be effective after publication in accordance with the Charter of the City of Bessemer.

Section 5. The adoption of this Ordinance shall not prevent or affect the prosecution, within the time limited by law, of any violation of an Ordinance which occurred prior to the effective date of the Bessemer City Code, 1986 Edition, even if the Ordinance or Code violated was amended or repealed by the Bessemer City Code, 1986 Edition, before the time prosecution of said offender was commenced or completed.

Section 6. Whenever any act is prohibited or is made or declared to be unlawful or an offense, or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense by the Code adopted by this Ordinance, or in any other Ordinance of the City, or in any rule, regulation, or order promulgated by any officer or agency of the City under authority duly invested in him or it, and no specific penalty is provided therefor, the violation of any said provision of said Code or any other Ordinance of the City or such rule, regulation or order shall be punished by a fine not exceeding five hundred (\$500.00) dollars or imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment.


Joseph C. Bonovetz, Mayor


Bruce W. Carlson, City Clerk

Adopted: February 17, 1986

ORDINANCE NO. 272

AN ORDINANCE GRANTING AND RENEWING A FRANCHISE TO BRESNAN COMMUNICATIONS COMPANY, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE STATE OF MICHIGAN, AND SETTING TERMS AND CONDITIONS THEREFORE.

THE CITY OF BESSEMER HEREBY ORDAINS:

Section 1: DEFINITIONS. For the purpose of this Ordinance the following terms, phrases, words, abbreviations, and their derivations shall have the meaning herein given. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

- (a) "Affiliate", when used in relation to any person, means another person who owns or controls, is owned or controlled by, or is under common ownership or control with, such person.
- (b) "Basic cable service" shall mean the distribution of broadcast television and non-premium satellite programming.
- (c) "CATV", "Cable Television System", or "Cable System" shall mean a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide cable service which includes video programming and which is provided to multiple subscribers within a community, but such term does not include (a) a facility that serves only to retransmit the television signals of 1 or more television broadcast stations; (b) a facility that serves only subscribers in 1 or more multiple unit dwellings under common ownership, control, or management, unless such facility or facilities uses any public right-of-way; (c) a facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of this Act (47USCS 201 et seq.), except that such facility shall be considered a cable system (other than for purposes of section 621(c) (47USCS 541(c) to the extent such facility is used in the transmission of video programming directly to subscribers); or (d) any facilities of any electric utility used solely for operating its electric utility systems.
- (d) "Cable Channel" or "channel" shall mean a portion of the electromagnetic frequency spectrum which is used in a cable system and which is capable of delivering a television channel (as television channel is defined by the Commission by regulation).
- (e) "Cable Operator" or "Franchisee" or "Company" or "Grantee" shall mean any person or group of persons (A) who provides cable service over a cable system and directly or through one or more affiliates owns a significant interest in such cable system, or (B) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system.
- (f) "Cable Service" shall mean (A) the one-way transmission to subscribers of (i) video programming, or (ii) other programming service, and (B) subscriber interaction, if any, which is required for the selection of such video programming or other programming service;
- (g) "Charter" - Charter of the City of Bessemer in legal effect.
- (h) "City" shall mean the City of Bessemer.
- (i) "Council" shall mean the governing body of the City.