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CITY OF BIRMINGHAM, MICHIGAN
ORDINANCE NO. 344
AN ORDINANCE TO LICENSE AND REGULATE HOTELS, LODGING HOUSES, ROOMING HOUSES, TOURIST HOMES AND TOURIST CABINS WITHIN THE CITY OF BIRMINGHAM.

The City of Birmingham Ordains:

Section 1. Definitions: For the purpose of this Ordinance the following terms when used herein shall be deemed to have the meanings hereinafter set forth:

(a) "Hotel" A building or part thereof occupied as the more or less temporary abiding place of individuals in which the rooms are rented or leased singly for hire, and in which rooms no provision for cooking is made, and in which building there is a general kitchen and dining room for the accommodation of the occupants.

(b) "Lodging House" A building or part thereof other than a hotel, where lodgings are provided for hire more or less transiently without provisions for meals.

(c) "Rooming House" Any building occupied as a home or family unit where a certain room, or rooms, in excess of those used by members of the immediate family are leased or rented to one or more persons not members of the family.

(d) "Tourist Home" Any building in which rooms are let or rented to transients for periods of less than one week.

(e) "Tourist Cabin" Any establishment in which individual cabins or parts thereof are let or rented to transients for periods of less than one week. Said term shall include Motor Courts, so-called.

(f) "Family" The term family as used in this Ordinance shall mean one family unit, members of which are related by consanguinity or by marriage.

(g) "Person" The word person as used in this Ordinance shall be construed to mean natural persons, firms, co-partnerships, corporations and all associations of natural persons, corporated or unincorporated, whether acting by themselves or by a servant, agent or employee.

Section 2. No person shall use or cause to be used any building or premises or part thereof in the City of Birmingham as a hotel, lodging house, rooming house, tourist home or tourist cabin as herein defined, or any combination thereof, without having first secured a license as hereinafter provided.

Section 3. Application for such license shall be made in writing to the City Clerk, upon a form provided for that purpose, and shall be filed with said clerk. It shall give all such information as shall be deemed necessary, including the name and address of the applicant; his interest in the building and the location thereof; the name and address of the owner of record of said building; if applicant is a partnership the names and addresses of the partners; if a corporation the names and addresses of the officers thereof; a list of the rooms, suites or beds therein indicating the size of such rooms, number of beds in each room, sanitary facilities and the maximum number of persons to whom it is desired to rent said premises when rented at full occupancy. Said application shall also state the names, ages and relationship of all persons occupying said building, members of the family, and shall show the accommodations available for such family occupancy.

Section 4. Upon receipt of such application the City Clerk shall refer the same to the Health Officer, the Building Inspector, the Chief of the Bureau of Fire Prevention, and the Chief of Police, each of whom shall make such inspection and investigation as they shall deem necessary to establish the fact that said premises are properly located, constructed and equipped for the purpose for which it is desired to license the same and that the applicant is a person of good moral character. Each of such officials shall note his recommendation upon said application and return the same to the City Clerk. Upon the return of said application bearing the approval of all of the officials above designated, the Clerk is hereby authorized to issue in the name of the City, a license, subject to the conditions set forth, to the applicant and to become effective upon payment to the City Treasurer of the following fees:

(a) Hotel $25.00
(b) Lodging House $10.00
(c) Rooming House ..... $ 2.00 per room
(d) Tourist Home ..... $ 3.00 per room
(e) Tourist Cabin ..... $ 2.00 per cabin unit

Section 5. In the event any of the public officials designated in Section 4 shall fail to approve said application such fact shall be noted thereon in writing and upon return to the City Clerk of said application bearing notation that the same does not have the approval of any official, the Clerk shall notify the applicant in writing and the applicant shall have a period of ten days in which to appeal to the City Commission. The Commission may, after such hearing as it shall deem proper, authorize the issuance of such license without the approval of such official or officials. The determination of the Commission on such appeal shall be final.

Section 6. Said license shall contain the name of the licensee, the type of accommodation for which issued, the maximum number of rooms which may be rented, together with the maximum number of persons permitted to occupy such premises at any one time. Said license shall designate the particular building in said City where such business is to be conducted and it shall be unlawful for any licensee to engage in such business at any place other than that designated in said license. Said license shall be subject to terms and conditions of this Ordinance and the laws of the City of Birmingham, all other Ordinances of said City, and the laws of the State of Michigan and the United States. The same shall be conspicuously displayed on the licensed premises. It shall not be assignable or transferable, and no person except the licensee shall do business or be permitted to do business under said license. Said license shall expire on the 31st day of December next following its issuance unless sooner revoked by the City Commission. Any renewal of such license shall follow the same procedure required for issuance of a license in the first instance, and shall be subject to payment of the same fees as hereinbefore provided.

Section 7. Licenses granted under this Ordinance shall be revocable by the City Commission at any time, for a violation of any provision or limitation therein contained, of any law of the State or the United States, or a violation of any rule, regulation or provision of this, or any other Ordinance of the City of Birmingham, or any property adopted rule or regulation of any city department, or if the Commission shall deem such license an unfit person to carry on said business, or if it shall be satisfied that said business as conducted is detrimental to the interests of the public, or for the making of any false statement in the application for said license. Prior to revocation of said license the Commission shall hold a public hearing, and shall give notice thereof in writing to the licensee, said notice to be sent by mail directed to said licensee at the address set forth in his license, said notice to be sent to licensee not less than five (5) days prior to such hearing. The determination of the City Commission upon said hearing shall be final.

Section 8. No person shall rent a greater number of rooms than is permitted by his or her license, nor shall accommodations be rented to a greater number of persons than is specified therein. Where there is an increase in the number of members of the family to be housed in any premises licensed as a rooming house, such fact shall be reported to the Health Officer, and he may, by order to the licensee, reduce the maximum number of persons to whom rooms may be rented.

Section 9. Said licensed premises shall at all times be occupied, kept and maintained in accordance with the applicable provisions of the building and housing ordinances and regulations of the City of Birmingham, and the housing law of the State of Michigan. Where under the terms of any rental agreement it is the duty of any licensee to furnish linens, such licensee shall provide all beds with regulation sheets and pillow cases, the same to be laundered at least once each week, provided that each new guest or patron shall be furnished with clean sheets and pillow cases. Where towels are provided the same shall be individual towels furnished clean to each guest or patron and laundered at least once a week, and no common towels shall be permitted. Any licensee, having notice or knowledge that the licensed premises contain any vermin, shall within 48 hours, report the same to the health officer, and shall cause the same to be exterminated by such means as shall be approved by said health officer within five days from the date upon which licensee first had notice or knowledge of the existence of the same.

Section 10. No license shall be issued for any use which shall constitute a violation of provisions of the Zoning Ordinance of the City of Birmingham.

Section 11. It shall be the duty of the Health Officer, the Building Inspector, the Chief of Police and the Chief of the Bureau of Fire Prevention and their agents and employees, to enforce the provisions of this Ordinance, and to this end said officials or their agents and employees shall have the right to inspect said licensed premises or any part thereof at any reasonable time, and refusal by the licensee to permit such inspection shall be deemed sufficient cause for revocation of said license.

Section 12. Every licensee shall provide and maintain a bound book in which shall be entered in ink the name and home address of any person other than members of the family listed in the application for such license, occupying said premises or any part thereof. Said register shall be maintained in said premises in plain view, and in a conspicuous place near the main entrance, and shall be submitted upon demand to any official or police officer of the City of Birmingham or to any police officer of the State of Michigan. The same shall constitute a public record. Where two persons of the opposite sex occupy the same room said register shall specify the relationship of said persons. It shall be unlawful for this licensee to rent to any person to inscribe in such register any false name for the purpose of being inscribed in such register, any false information. Knowing or having reasonable cause to believe such information to be false, licensee or his employee shall notify Police Department of such fact, and failure to do so shall be grounds for revocation of his license.

Section 13. Occupants of said premises shall not do or perform an act therein which will in any way damage said premises, nor shall they permit the occupancy of any room or portion of said premises let to them, by persons other than those registered with the licensee, without the express knowledge and consent of said licensee. No person shall vacate any room or any premises or part thereof without having fully paid all items of rental due for his or her occupancy thereof.

Section 14. Where food is served to guests in any premises, said licensee shall be required to perform act therein which will in any way damage said premises, nor shall they permit the occupancy of any room or portion of said premises let to them, by persons other than those registered with the licensee, without the express knowledge and consent of said licensee. No person shall vacate any room or any premises or part thereof without having fully paid all items of rental due for his or her occupancy thereof.

Section 15. If any person shall violate any provision of this Ordinance or any rule or regulation authorized hereunder, he shall be guilty of a misdemeanor and upon conviction thereof before a Court of competent jurisdiction, shall be punished by a fine of not to exceed $100.00 together with costs of prosecution or by imprisonment in the City or County Jail for a period of not to exceed ninety (90) days or by both such fine and imprisonment in the discretion of the Court.

Section 16. Provisions of this Ordinance are deemed to be severable and the holding or adjudging by any Court of competent jurisdiction, as invalid, of any section or provision hereof, shall not affect, impair or invalidate remaining sections of this Ordinance.

This Ordinance shall take effect upon publication following the passage hereof except that establishments presently operating in the City of Birmingham and which would be subject to the provisions of this Ordinance need not secure a license hereunder until January 2, 1949.

Made and passed by the Commission of the City of Birmingham, Michigan, this 26th day of August, A.D. 1948.

MILTON F. MALLYNDER, Mayor.
IRENE E. HANLEY, Clerk. 26

Obvious Conclusions

The city editor was lecturing the cub reporter again.

"You use too many words, Wadsworth," he said. "You say there that he was poor but honest. Why not just say he was honest?

"Again, you say that he was without money or friends. You're wasting space. Simply say that he was without money."

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Lathrup Village News

By LILLIAN DIEDERICH

Mr. and Mrs. E. A. Kilian of Saratoga boulevard returned this week from a three weeks' vacation at Hot Springs, Va. During their absence, Kurt, the aristocratic boxer, visited his mother in Birmingham.

* * *

The Ralph Stephensons of the Village visited relatives in West Virginia over the holiday.

* * *

Mr. and Mrs. Charles Fey and son-in-law and daughter, Mr. and Mrs. Howard Brown, spent two weeks motoring through Copper Harbor, the Wisconsin Dells and other notable places. The Feys reside on Red River boulevard.

* * *

Mr. and Mrs. Karl Doeren of Meadowbrook way are in Nova Scotia this week after a week end at Drummond Island.

* * *

The Ray Downeys will leave soon for a trip west. They intend taking the northern route and will visit Mr. Downey's relatives in Los Angeles. One their return journey they are scheduled to spend a few days as the guests of the Arthur Neubauers, formerly of the village, now of Dallas, Tex.

* * *

Mrs. John B. Sevold of Detroit will visit her son-in-law and daughter, Mr. and Mrs. John J. Gedert of Santa Barbara drive. Mrs. Sebold is 93 years young and the mother of 13 children! She is still very active, according to her daughter.

* * *

Mr. and Mrs. G. J. Rostow and daughter, Marilyn of Quentin drive, have returned from a three weeks' trip to Washington, New York City, and the New England states.

* * *

The R. S. Stannards of Bloomfield drive are visiting relatives in Alabama and will return home next week.

* * *

The College Career Group held open house Friday evening at the "House in the Woods." It was the beginning of the fall season and 100 were present.

* * *

Mrs. Tom Myers of Quentin boulevard opened her home yesterday to 100 members and guests of the Community church, for a benefit bridge luncheon. A committee assisted her.

* * *

Women's club of the Village is planning a dinner party for Saturday evening, Oct. 2, at 7 o'clock in the "House in the Woods." Mrs. Lee Baker is chairman and Mrs. William Hayes is in charge of publicity and tickets through contacting members by telephone. Mrs. Leroy Jarvis is chairman of ways and means. Card tables will be set up and music provided for those wishing to dance.

* * *

Mrs. Whitney Rossø of Portland, Ore., was a recent guest of her uncle and aunt, Mr. and Mrs. Tom H. Myers of Quentin drive.

* * *

Margot Iverson, daughter of the Norman Iversens, leaves next week to enter Hillsdale college, Hillsdale, Michigan.

Betty Marsh, daughter of Mr. and Mrs. George L. Marsh, has enrolled at Michigan State college.

Bob Mitchell will be a freshman at University of Michigan and his brother, Arthur, has enrolled at Detroit College of Law after three years in the University of Michigan.

Bob Diederich will be a junior at Lawrence Institute of Technology.

Louise Lathrup Kelley has entered the University of Michigan as a freshman and will live at Jordan Hall.

* * *

Mrs. Eugene Himes and Mrs. Earl Doig and daughter, Pat, returned, Saturday from a 10-day freighter trip to Duluth. Two Detroit women accompanied them.

* * *

Women's bowling league of the Village has 10 teams signed up for the season. They will bowl each Tuesday at 1:15 p.m. at the Birmingham Bowling Alleys. Mrs. Arthur Mitchell is president; Mrs. Loretta Brown, secretary; Mrs. Julia Hurst, vice-president; Mrs. Don Albright, treasurer.

* * *

Mr. and Mrs. Arthur Mitchell flew to Toronto last week and visited the William D. Whites' summer home while there. The Whites reside in the village.

* * *

Mrs. Warren Reed of Southfield road won first prize Friday evening in the Apple Pie Contest held in the school. Mrs. Richard Klinger of Larkin road received second prize of $7.50 and the third was given to Mrs. G. Fisher. It was $5.00. A loving cup was also given to Mr. Reed in addition to the first prize.

Kiwanis of Southfield township were in charge of the project and the proceeds will go to underprivileged children.

* * *

Mr. and Mrs. Alfred Brisebois of Port Clinton spent the Labor Day week end as the guests of their parents, Mr. and Mrs. L. A. Brisebois of Sunset boulevard.

Dinner Meeting Will Conclude Tennis Season

Members of the Birmingham Tennis Club will hold their annual dinner meeting tomorrow evening at the Community House.

Dinner will be served at 6:30 following which there will be an interesting program of tennis movies provided by Wilson & Company, of Chicago, sporting goods manufacturers.

The movies will include an instructional sound film done by the former world champion, Donald Budge, and demonstrating all the departments and strokes of tennis. Much of this film is in slow motion. There will also be a film featuring the Wimbledon Championships in England and showing how the English people really enjoy tennis.

Election of Officers

A business session will conclude the meeting at which reports on the highly successful season just closing will be given. Officers for 1949 will also be elected.

The Birmingham Tennis Club have used the courts of Kingswood School for the last two years. The current season will end Saturday and Sunday when the final matches in the Inter-Club Invitational Tournament will be played.

The tennis club committee handling the annual meeting includes Mrs. E. L. Beers, chairman; Leon Bramley, Jane McKee and Ray C. Sackett.

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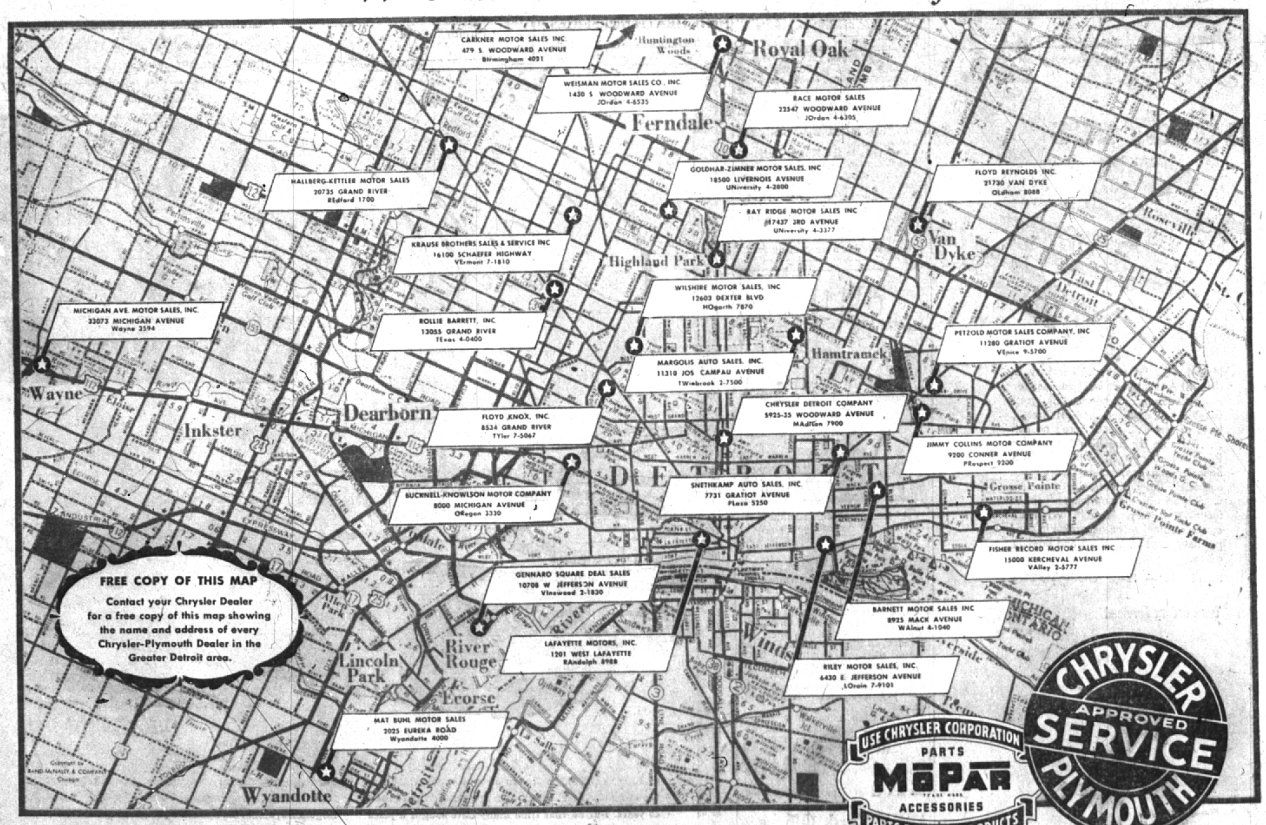

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