

## VILLAGE OF BRINKHAVEN

# Resident Guide:

## How to Review Our Municipal Code of Ordinances

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Brinkhaven is adopting its first complete Municipal Code of Ordinances—a single, organized set of written rules that governs how our village operates. This guide is designed to help you find what you need, understand what you're reading, and know how to get a copy or ask questions.

You don't need a legal background to make use of the Code. This guide walks you through it.

### 1. What Is the Municipal Code?

The Municipal Code of Ordinances is the official collection of all laws and rules formally adopted by the Brinkhaven Village Council. Think of it as the village's operating manual—it spells out how local government is structured, what officials are authorized to do, what standards apply to property in the village, and how rules are enforced.

#### Why does it matter to residents?

The Code defines your rights and responsibilities as someone who lives in or owns property in Brinkhaven. If you ever have a question about how a village decision gets made, what your elected officials are authorized to do, or what standards apply to property in the village—the Code is where to look.

### 2. Where to Find the Code

The Code is a public document, available to every resident at no cost:

- **Online:** The Code is posted on the village's website at [brinkhaven.gov/village-ordinances](http://brinkhaven.gov/village-ordinances).
- **Printed copy:** Email [mayor@brinkhaven.gov](mailto:mayor@brinkhaven.gov) to request a printed copy.

If you have any trouble accessing it, just email us and we will make sure you get what you need.

### 3. How the Code Is Organized

The Code is divided into **Titles**, each covering a broad subject area. The Titles use odd numbers (I, III, V, VII, etc.). Each Title is divided into numbered **Chapters**, and each Chapter is divided into numbered **Sections**. The actual rules live in the Sections.

Here is what each Title covers:

I	General Provisions	How the Code is interpreted, how prior ordinances are superseded, and the general enforcement framework that runs throughout the Code.
III	Legislative Authority	The structure and authority of Village Council: how it is established, how it meets, how it votes, and how vacancies are filled. Also covers the Mayor, the Fiscal Officer, the Code Enforcement Officer, ethics and conflicts of interest, and purchasing and procurement.
V	Administration	Records retention procedures and the village's authority to establish a schedule of fees and charges.
VII	Land Use and Property Regulation	General use standards and performance standards for property in the village, including exterior property conditions and environmental compliance. Also covers permits, chronic nuisance properties, and the appeals process.
IX	Property Maintenance and Regulation	Minimum property maintenance standards, blighted property procedures, absentee landlord registration requirements, junkyard regulations, and highway signage and wayfinding rules.
XI	Public Health, Safety, and Welfare	Public nuisance definitions and abatement, and noise control—including regulations on engine braking (jake brakes).
XIII	Streets and Public Infrastructure	Street protection, weight and use restrictions for village roads, cost recovery for street damage, and speed regulations within village limits.
XV	General Penalties and Enforcement	How violations are enforced across the entire Code: administrative orders, citations, civil remedies, appeals, and the responsibilities of property owners and occupants.

## 4. How to Read a Section

Every section of the Code follows a consistent format. Here is what the pieces mean:

Section Number (e.g., § 901.05)	The first digits identify the Title and Chapter; the digits after the decimal identify the specific section. So § 901.05 is Title IX, Chapter 901, Section 5.
Section Title	A plain-language label for what that section covers.
Definitions	Many chapters open with a definitions section. Those definitions apply throughout that chapter.
Body Text	" <b>Shall</b> " means required. " <b>May</b> " means permitted but not required. " <b>Shall not</b> " or " <b>must not</b> " means prohibited.
Penalty / Enforcement	Some sections specify consequences for violations. General enforcement procedures for the entire Code are found in Title XV.

### A note on legal language

The Code is written in legal style, but most sections are straightforward once you know a few key terms. If something is unclear, you are welcome to raise a question at a Council meeting or email [mayor@brinkhaven.gov](mailto:mayor@brinkhaven.gov).

## 5. Finding What You Need

### If you know the topic

Use the Table of Contents at the front of the Code. Topics are organized by Title and Chapter. For example, questions about property upkeep belong in Title IX; questions about how Council operates belong in Title III.

### If you know the section number

Section numbers include the Title and Chapter. For example, § 1103.02 is in Title XI (Public Health, Safety, and Welfare), Chapter 1103 (Noise Control), Section 2. You can navigate directly to it using the Table of Contents or the digital version of the Code.

### If you received an enforcement notice

Any notice issued by the village will reference the specific section that applies. Look up that section number to read the rule in full. Title XV covers your rights and options in the enforcement process, including how to appeal. You have **ten (10) days** from the date of an order, citation, or notice to file a written appeal with the Fiscal Officer.

### If you're not sure where to start

Title I (General Provisions) explains how the Code as a whole is interpreted. Chapter 102 (Definitions and Construction) is a good first read—it explains terms used throughout the rest of the document.

## 6. Code Enforcement

Brinkhaven's Code is enforced by a Code Enforcement Officer—a civilian role established under Chapter 307. The officer is responsible for identifying and documenting violations and working with property owners toward resolution.

Title XV (General Penalties and Enforcement) governs how violations are handled across the entire Code, including administrative orders, citations, civil remedies, and appeals. Enforcement generally follows a flexible sequence:

- A written **administrative order** identifying the violation and setting a reasonable time to correct it.
- An **administrative citation** if the violation continues or if immediate enforcement is warranted.
- **Civil or criminal enforcement** for violations classified as misdemeanors or where warranted by law.

If you believe there is a code violation in the village, you may report it by emailing [mayor@brinkhaven.gov](mailto:mayor@brinkhaven.gov).

### Our approach to enforcement

The goal of code enforcement is compliance, not punishment. We want every resident and property owner to succeed in meeting village standards, and we are committed to working through problems collaboratively wherever possible.

## 7. Common Questions

### Can I park an inoperable vehicle in my yard?

Chapter 1101 prohibits outdoor storage of inoperable motor vehicles for more than 14 days within any 30-day period, unless stored inside a fully enclosed structure. A written repair extension may be submitted to allow additional time for active repairs (up to 60 days), at the discretion of the Code Enforcement Officer.

### How tall can my grass or weeds get?

Vegetation exceeding 10 inches in height is a declared public nuisance under § 1101.02(D), except for areas maintained as intentional landscaping such as garden beds, perennial beds, or designed natural plantings.

### What are the rules for fences?

Front yard fences may not exceed 4 feet in height. Side and rear yard fences may not exceed 6 feet. Fences must be located entirely on your property and maintained in structurally sound condition. Barbed or razor wire is prohibited in residential areas (§ 901.06).

### Can I run a business from my home?

Limited home occupations are permitted provided the activity is incidental to residential use, generates no unusual traffic or noise, involves no outdoor storage of business inventory, and is conducted entirely within the dwelling or a permitted accessory structure. Gatherings of up to 49 people are permitted if adequate parking is available and the activity does not create nuisance conditions (§ 901.11).

### What are the quiet hours?

Noise plainly audible from an adjacent property or public right-of-way is prohibited between 11:00 p.m. and 8:00 a.m. on private property. Sound audible more than 60 feet from its source on private property during those hours constitutes a prima facie violation of Chapter 1103.

### **I'm a landlord or absentee owner—do I need to register?**

Yes. All landlords and absentee property owners (those residing more than 30 miles from Brinkhaven for more than 180 days per year) must register annually with the Village. Registration includes contact information, property details, and an emergency contact. Failure to register is a separate, independently enforceable violation (Chapter 905).

### **How do I appeal an enforcement action?**

You have 10 days from the date of service to file a written appeal with the Fiscal Officer. A timely appeal generally stays enforcement while the appeal is pending. Village Council hears appeals and issues a final administrative decision. See § 1501.14 for the full procedure.

## **8. How the Code Can Be Changed**

The Code is a living document. Village Council can amend it by passing a new ordinance. All ordinances of a general and permanent nature adopted after the Code's effective date automatically become part of the Code upon adoption (§ 104.01).

## **9. How to Ask Questions**

You should never feel like the Code is a barrier. If something is unclear or you want help finding a specific section, reach out:

- **Email:** [mayor@brinkhaven.gov](mailto:mayor@brinkhaven.gov) — the simplest way to get a quick answer or to request a printed copy of the Code.
- **Council Meetings:** Regular meetings are held on the **second Monday of each month at 6:00 p.m.** Any resident may raise questions or comments during the public comment portion of a meeting.
- **Town Hall:** A public Town Hall is scheduled for **Wednesday, May 6 at 6:00 p.m.** This is an open opportunity to ask questions, learn more about the Code, and share your thoughts.

We want this Code to work for everyone who calls Brinkhaven home.

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### **A Foundation Built Together**

*This Code represents a new chapter for Brinkhaven—a commitment to clear, fair, and transparent local governance. We encourage every resident to explore it, ask questions, and stay engaged. This village belongs to all of us.*