

Answers to Survey Comments / Questions / Concerns

Many hours have been invested in answering the survey questions. Maybe not the best use of my time but hopefully some benefit to the Village residents will come out of it. I apologize up front if your question did not get answered to your liking. If this is the case, bring it up at a Council meeting or e-mail me and I'll try to find a better answer. Common issues will be combined for ease of answering. These answers are in response to the comment received that "Every issue whether Council feels it is important or not should at least be addressed.". Comments or questions directed at specific individual(s) or group will be changed to a generic form prior to answering since the purpose of these responses is not to target individual(s) or groups. A workshop was held to discuss the answers to the following questions. In addition, the Council members, President, Clerk, Fire Chief, and Building Inspector, were given a draft copy to review and comment on. Any comments received have been incorporated.

Positive comments received:

- On a positive note, this survey is a step in the right direction.
- I appreciate the newsletter very much. Also the spring clean up & volunteering to help the elderly & less able was a great idea. I would like to see both the newsletter and beach wide clean up continue.
- Love the newsletter. Good information! Good Survey!
- Great idea on the survey.
- Photos and history of area is a great idea as a fundraiser.
- We appreciate that there is some concern out here finally.
- Glad there are new people on the Council.

Questions Received:

Ordinances / Website

1. Are copies of the Ordinances available for purchase? *Yes but the cost that the Village will charge per copy will be excessive. See the answer to the next question.*
2. Communicate through e-mail to the residents or set up a website to house bylaws and ordinances. *Due to the unknown number of residents with e-mail accounts, and changing e-mail addresses, communication through e-mail on a continuous basis does not seem efficient. The plan is to start a website and have the Ordinances and Charter on the website, along with other information.*
3. Revise or rewrite outdated ordinances. *This has been identified as a need, but no one is jumping at the opportunity to review the Ordinances and make the needed changes. This is a very time intensive task and is best saved for the cold winter months. This task is on the list I have of things that need to be done for the Village.*

Ditches / Dredging / Fishing / Boat Launches

4. Need boat launch parking. *All of the property around the boat launches is private, therefore, the best option is to launch your boat with someone onboard to tend the boat while you return your vehicle and trailer home, or park it at the Village Hall **such that they do NOT block Fire Department activities**. That said, the preference is to park them at your house. The boat launches are for Village resident's use only.*
5. Big exclusion zone due to Fermi. *Federal mandate after 9/11/01. No way the Village will change it.*

6. For walleye fishing, maybe DNR could create artificial reefs like Ohio has done to enhance the fishing off of Estral Beach. *Feel free to volunteer your time to contact the DNR and follow up on this issue. Fishing is not a Council concern.*
7. Dredgings should all be dumped on beach property (low spots) at no charge. *Ordinance 1041 controls the amount of fill installed in the Village to ensure proper drainage, with no impact on neighboring property. The DEQ dredging permit identifies where the dredged soil will be dumped, type and estimated amount, and the impact on surrounding properties. The cheapest means for disposal for the contractor is to use land adjacent to where the dredging is taking place and not to have to truck it throughout the Village. However, with the proper permits and planning, this is felt to be a benefit to the Village.*
8. Poor ditch maintenance and drainage (corner Sovey & Lakeview, Sovey "S" turn, Otilie Drive). Clean ditches - all. Culverts need to be replaced and drainage ditches need to be improved so that water flows properly. Drainage on the beach. Too many mosquitoes during the summer months. We can't sit outside during the summer time. *The ditches are one of the major concerns of those who completed the survey. The routing and grade of the drainage plan were evaluated a few years ago and determined to be correct. Some of the ditches do need to be cleaned and dug out in places. The ditch cleaning is an ongoing process by both Village Maintenance personnel and the home owners. Homeowners need to ensure that the drainage pipes under their driveways are clean and allow a flow path. There is also the possibility that the expectations of residents may be unreasonable. Due to the layout of the ditches, type of soil, elevations of the beach with respect to the pump out basin, and the capacity of the pumps, slow drainage after heavy rains can be expected. Regarding the mosquitoes, with the low lying areas, surrounding wet lands, and standing water after the rains, mosquitoes are inevitable. I suggest installing a screened porch or tent. Previous Council meeting notes indicate there was discussion on using chemicals to control the mosquitoes, however, this would be expensive and have very limited impact considering the area of Estral Beach. Another suggestion was to install bat houses or sparrow houses to attract animals that eat mosquitoes.*
9. Open the canal on the north end of the beach so we can get boats out. Canals not dredged. *The boat launch on the north end of the beach is tied into the previously dredged Marina canal to the Lake. Following closure of the Marina, the canal and path along the north end were allowed to fill in with sand. The majority owner of the Marina stated that they plan on reopening the Marina sometime in the near future. At that time, access to the Lake will be re-established from the boat launch. Since there is a usable boat launch at the south end of the beach, it is not a Village priority to make the North boat launch usable at this time, especially due to the estimated dredging costs. The south canal is being dredged on an as desired basis at the homeowners expense after attempts by the Council to coordinate dredging of the entire south canal failed.*
10. This is a Lakeshore Community. I would like to see the Council take a bigger roll in having ALL the canals cleaned out and boat ramps maintained. *Attempts were being made over the past several years by the Council to coordinate dredging of the entire South canal. After several years of the Council trying to work through the needed permits, funding, etc., the residents on the south of Lakeshore Drive became frustrated and hired a local contractor to dredge the canals along their property.*
11. The State Funds the maintenance of the boat ramps for the Village. Why is it that we don't have access to a decent boat ramp? *As is the case with most improvements, it's about money or lack thereof. Road funds cannot be used to maintain, repair, or modify the boat launches according to Council member(s) that have*

checked. Funds were taken out of the general fund to somewhat improve the south boat ramp. Grants are probably available that would allow us to improve the boat ramps but the search for applicable grants is a time consuming search process. Identifying available grants and applying for them is on the list I have of things that need to be done for the Village. Anyone willing to volunteer to help find and apply for grants to improve the Village is encouraged to come forward.

12. Preserve natural wild field awareness and survey community knowledge of areas environment. *The Berlin Township Master Plan addresses land use and preservation of specific areas. Estral Beach has Ordinance 1029 which provides for Village planning to make and adopt a Master Plan and zoning plan in accordance with Act 285 of the Public Acts of 1931. Developing a Master Plan or list of priorities for the Village is on the list I have of things that need to be done for the Village. One of the problems is that the longer most people live around something the more they tend to take it for granted. The hope was that assisted cleanups of the Village and surrounding waterways would raise the environmental awareness level but based on my limited experience with the Village, most people don't seem to care enough to volunteer.*

Dogs

13. Dogs running loose on beach. People letting dogs run loose. Even when they are on leashes they are allowed to poop and pee on mailboxes and yard ornaments. Dogs not on leashes. Not able to walk my dog without fear of other bigger dogs, and dogs in my yard barking at my dog and myself. Dogs allowed too run free. Poop on properties, Owners should at least clean yards of stinky dog poop. *It is acceptable for dogs to be unleashed in their own yard as long as they remain in their own yard, or on private property with the property owner's permission. It is not acceptable for owners to allow their dogs to wander the neighborhood unsupervised. Hopefully, once informed that this is a major concern in the Village, every dog owner on the beach will be more considerate. If you know who the loose dog belongs to, try contacting the owners first since some dogs do get loose without the owners knowledge. However, if you try contacting the owner with no results, or you do not feel comfortable making the contact, and the dog continues to roam the Village, contact Animal Control which is under the Sheriff's jurisdiction.*
14. Noise from dogs that bark constantly. Too many dogs running around freely getting into trash and barking late at night and early in the morning. *Some people keep their dogs inside at night, others do not. If a dog is left outside at night, and something moves, they're probably going to bark. Some more than others. I can only suggest that you try to speak to the neighbor with the dogs in hopes that they will do something about it. Maybe they are unaware that their dog's barking is an issue with neighbors (or maybe they don't care but you can try). If this does not work, call the police and ask them to enforce the Village's noise ordinance No. 1042, Section No. 3(e) which states "ANIMAL AND BIRD NOISES...The keeping of any animals or birds which by causing frequent or long continued noise that shall disturb the comfort or repose of any person." Section No.5 states that "any person who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding five hundred (500.00) dollars and costs or by imprisonment for not more than Ninety Days (90), or both said fine and said imprisonment." All of the Village's ordinances were sent to the police last year and they are aware that dogs barking continuously is a violation of our noise ordinance.*

Roads - Speeding Cars / Repairs / Golf Carts / Skateboards

15. Drivers do not follow the posted 25 mile speed limit in the Village. Suggest speed bumps down Lakeview for the safety of our children. Speeding cars with people walking kids and dogs nearby. *Ordinance 1001 Section No. 4 states "No vehicles shall be driven at any speed in excess of fifteen miles per hour within the*

Village, unless a greater speed is allowed and posted signs placed in conspicuous places by said Village.” As posted, the speed limit on Lakeview Avenue and Boulevard inside the Village, **starting at the hump on Port Sunlight**, is 25 mph. It is 15 mph unless otherwise posted. Speeding is also a common complaint based on the survey responses received. Speeding is especially an issue now that warmer weather is here and people are out walking / riding on the roads. Since there are no sidewalks in the Village, the roads are used by cars, bicycles, and pedestrians. I would think that residents are responsible and would want to obey the speed limit within their own community. That said, if you identify someone driving at an excessive rate of speed or driving erratically, take down the vehicle information and call the police. If possible, identify the times of day the violator comes and goes so the police can set up a speed trap. Hopefully informing people of the issue will be enough to make them more conscientious of their driving habits, if not, maybe a couple of tickets will do the trick. Speed bumps are not an option on major roads such as Lakeshore Drive, and Lakeview.

16. New road (Lakeshore) looks nice. Areas where water accumulated on road was to be corrected, instead there are new locations where it collects. President said it would be corrected and it wasn't. *At the end of last year a representative from Jeffries Paving promised to come out this spring to discuss any issues with the new road, do whatever it takes to make us happy, and also discuss the bike / walking path in the park. They have since come back, looked at the roads, and completed the walking / biking path. There are some low spots where water accumulates due to the grade of the land, not due to the way the road was laid. For these areas, the homeowners will be contacted to provide permission for the Village to install drain lines.*
17. St. Clair needs repaired. *For right now, the local roads (i.e., all roads except Port Sunlight, Lakeview Avenue and Boulevard, and Lakeshore Drive) are being patched. The plan is to eventually repave all local roads as was done for the major roads. However, the bill for repaving the major roads has to be paid before work can start on the local roads.*
18. Golf carts driven by kids. *Ordinance 1016 states that the Village of Estral Beach has adopted the Uniform Traffic Code. Since Estral Beach no longer has a Police Department, enforcement falls back on the Sheriff's department. I believe a golf cart falls under the category of "low-speed vehicle" defined in the Michigan Vehicle Code (MVC) section 257.25b which refers to the Code of Federal Regulation 49 CFR 571.3(b) and 49 CFR 571.500. 49 CFR 571.3(b) states that a low-speed vehicle means a 4-wheeled motor vehicle, other than a truck, whose speed attainable in 1 mile is more than 20 mph and not more than 25 mph on a paved level surface. MVC section 257.660 addresses operation of low-speed vehicles on roadways. Section 257.660(7) States that a low-speed vehicle shall be operated at a speed limit of not to exceed 25 miles per hour (which just happens to be the maximum speed limit in the Village). It also states that the state transportation department may prohibit the operation of a low-speed vehicle on any highway or street under its jurisdiction if it determines that the prohibition is necessary in the interests of public safety. 49 CFR 571.500 S2 states that the purpose of this standard is to ensure that low-speed vehicles operated on the public streets, roads, and highways are equipped with the minimum motor vehicle equipment appropriate for motor vehicle safety. S5(b) states that each low-speed vehicle shall be equipped with; (1) headlamps, (2) front and rear turn signal lamps, (3) tail lamps, (4) stop lamps, (5) reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear, (6) an exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror, (7) parking brake, (8) a windshield of AS-1 or AS-5 composition, (9) a VIN that conforms to the requirements of part 565 of this chapter, and (10) a Type 1 or Type 2 seat belt assembly conforming to Sec. 571.209 of this part installed at each designated seating position. MVC section 257.656 states that a person*

who violates any of section 656 to 661a is responsible for a civil infraction, and that the parent of a child or the guardian of a ward shall not authorize or knowingly permit the child or ward to violate this chapter. The bottom line is that there is no Ordinance prohibiting the operation of low-speed vehicles in the Village. Low-speed vehicles are treated similar to mopeds or bicycles regarding their operation on streets. As long as they comply with the requirements of 49 CFR 571.500 S5(b), they are legal to be operated on the streets as long as they are operated in a responsible manner and follow the laws (e.g., speed limits, stop signs, etc.). However, it is the Parent's responsibility to monitor their use if driven by children and the parents will be held accountable if they are not. Knowing how fast some of the "Adults" drive in the neighborhood, alcohol consumed on the weekends, and how erratic some of the kids drive the golf carts, we're lucky there have been no accidents.

19. Encroachment of right of way on Lakeshore Drive south from Lakeview to the south end. Right of way for road was 20' unless changed by Council. *The Building Inspector stated that the width of Lakeshore Drive is eighteen feet. In some places it is less due to older houses built right up to the road. Landscaping to keep cars off of their property also limits the width in some areas.*
20. Semi-trucks in residential driveways! *Ordinance 1014 addresses limiting truck traffic during the summer months on Sunday's and Holidays but does not prohibit them being in the Village. They are allowed to operate on the major roads because these roads are rated for the weight. Although it may be an eye-sore, I believe there are more pressing issues that need to be addressed.*

Playground / Children / Teens / Theft / Vandalism

Monroe County non-emergency dispatch:
1-888-354-5500 dial 1

Online reporting: Co.Monroe.MI.us
Online Crime Report
Select: Nature of complaint

21. Stealing of boat parts and boats docked on the canal. *Unfortunately this is not like the old days when people were held accountable for their actions, and everyone looked out for their neighbors. Step one is to not advertise yourself as a likely target. If you have items of value on your boat(s), either hide them (out of sight out of mind), bring them in at night, or lock them up. Most thieves are young males (teens and 20's) looking for easily removed items that they can pawn for money. If you make it difficult to steal, they'll move on to a different target. Step two is to be aware of unfamiliar people in the neighborhood (can you say Neighborhood Watch), or people spending time casing their prospective targets. Document this information since it may be useful to police should a theft occur. Step three is to report ALL instances of theft to the police. If no one reports the incidents, nothing will be done to capture the thief and prevent future thefts.*
22. What kinds of things are they putting in at the new playground? Children and teens need a place. Need playground for kids to play. Kids and teens need to stop playing on the roads and use the playground. Kids skateboarding in the streets. *The playground was allowed to deteriorate over the last several years to the point that some of the equipment is a safety issue. The equipment with safety issues has since been disassembled but the remaining equipment is still aged. One of the Council members took it upon herself to champion the cause to raise money to buy new equipment to replace the existing equipment. To this end, she*

*has coordinated the monthly breakfasts (first Saturday of each month from 9:00 to Noon), Casino bus trips, can / bottle collections, etc. in an effort to raise money. The amount of money raised will help determine what equipment can be afforded. The money raised is being saved in a recreation account until the time that sufficient funds are available to purchase equipment. The goal is to buy the best, however, reality and limited funds may require different plans. Grant money is probably also available but assistance is needed in finding these grants and filling out the applications. In addition, a bike / walking path **for non-motorized** vehicles was installed around the playground for residents use. Access to the inside of the army tank from an underneath opening was also brought up as a safety issue associated with the park. A plate has since been welded over this opening by one of the Village residents. Since one individual is coordinating the fund raising efforts, I believe it is their choice of what equipment gets installed. I'm sure she would be open to suggestions from volunteers that have helped in the fund raising efforts. If you would like a say in how the playground gets improved, **volunteer!** It is the hope that once the playground area gets improved, kids will spend less time on the streets and trespassing on people's property to play. Since there are no sidewalks in the Village, the roads also serve as a pedestrian walkway (hence the 15 to 25 mph speed limit). If you were a kid into skateboarding and a new smooth road was laid in your neighborhood, where would you play, on the smooth road or cracked lots? The kids should also respect the others using the road (especially the bigger vehicles) and move out of the way since they do not pay taxes or own the roads.*

23. *The community should also be aware or have knowledge of what profits are made from the breakfasts, beach festival, etc. This information is available at the Council meetings which are held the first and third Tuesday of every month from 7:30 pm to about 9:00 pm. The Clerk or Treasurer can answer this question if asked. Another option is to volunteer and become involved with the fund raising activities and see for yourself.*
24. *Noise from kids in the lake access across from the bar yuck it up through the night from 24:00 to 03:00. The lake access is for local residents to use during the day. Noise Ordinance 1042 section No. 2(d) states "SHOUTING AND WHISTLING... Yelling, shouting, hooting, whistling or singing or the mixing of any loud noise on the public streets, between the hours of 11 pm and 7 am, or the making of any such noise at any time so as to annoy or disturb the quiet, comfort, or repose of persons in any office, or in dwelling or other type of residence, or any persons in the vicinity." Section No.5 states that "any person who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding five hundred (500.00) dollars and costs or by imprisonment for not more than Ninety Days (90), or both said fine and said imprisonment." The chances are that the persons involved have been drinking, either legally or illegally, and should not be approached by the homeowner. Contact the police to handle the issue as prescribed in section 7 of the ordinance.*
25. *Kids that were a problem have since grown up. Let's hope that is the case, and that now they are all law abiding citizens.*
26. *Vandalism - stop sign on Sovey was painted. Ordinance 1026 Section No. 2 states " It is hereby made unlawful for any person to destroy, damage, litter or in any other way destruct any property on or about the Village of Estral Beach." Section No. 3 states "Any person violating any provisions of this Ordinance shall be guilty of a misdemeanor punishable by \$100 fine or 90 days in jail, or both, in the discretion of the court." One of the two youths responsible for the graffiti on the stop sign and the Port Sunlight S-curve came forward before the Council, apologized, and said it would never happen again. The graffiti has since been removed or covered.*

27. Parents need more accountability for children's behavior. *I agree, but unfortunately there is no test that has to be passed or a certification received before becoming a parent. Some parents are receptive when informed that their children are misbehaving, others are not. Some of the kids should be old enough to start taking responsibility for their own actions. Hopefully the Neighborhood Watch program that is being looked into by one of the residents will be put into place, and educate the residents on how we can have a safer, closer community. The Council cannot do anything about this issue.*
28. Loud radios in cars driven by teens. *If the car is not parked, but just driving down the road (not making a continuous noise issue in one area), there's nothing that can be done unless several residents complain. If the car is parked and making a continuous noise, Noise Ordinance 1042 applies. Section No. 3(c) states "RADIO AND MUSICAL INSTRUMENTS...The playing of any radio, television, phonograph, or any musical instruments in such a manner or with such volume, particularly during the hours between 11 pm and 7 am, or at any time or any place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling or other type of residence, or of persons in the vicinity. The operation of any set, instrument, phonograph machine or device during these restricted hours in such a manner, as to be plainly audible at a distance of Twenty (20) Feet from building, structure, premises or vehicle in which it is located shall be prima facie evidence of a violation of this section." Section No.5 states that "any person who violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding five hundred (500.00) dollars and costs or by imprisonment for not more than Ninety Days (90), or both said fine and said imprisonment." If this is the case, notify the police. Although some of the terminology used in the ordinance is dated (e.g., phonograph), the intent is still clear.*
29. We have had problems with kids wanting to use the turn around as a playground. Signs should be posted that this is NOT a playground or a parking lot. *Ordinance 1044 Section No. 1 states "It shall be unlawful for the owner or operator of any motor vehicle to park such motor vehicle upon any of the streets or avenues and the public turnaround areas of the Village of Estral Beach so as to present interference with normal traffic flow, in the interest of public safety." The roads and turnarounds are public property and there is no legal reason to ask people to leave (e.g., kids playing) unless they are breaking a law or Village Ordinance. If you feel that a law or ordinance is being violated, either bring it to the attention of the person(s) if you feel comfortable, or call the police. Signs are being ordered for installation in areas throughout the Village. If you think there should be different signs at the turnaround, send a note to the Council or bring it up at a meeting so that your concern is documented.*
30. Trespassing - especially on Lakeside breakwalls. Kids can get hurt on cement walls. *For the most part the kids are bored playing / skateboarding on the roads and are looking for some place different and more challenging to play. I've found that they play there for several minutes before moving on to the next challenge. As long as they're not vandalizing my property or possessions, I'm okay with them playing on my breakwall for a limited amount of time. If they get hurt, and their parents believe that their kids are responsible for their own actions (versus the latest fad of blaming everyone but themselves), the pain is part of the kids growing up. If you are afraid of liability issues, start by installing "No Trespassing" signs in these areas to notify people that you do not want them using your property. A photo of the kids with the no trespassing sign in the background may also be a good trump card at sometime in the future. If you know the kids, you can ask them to play elsewhere, but based on input from one of the residents during a past Council meeting don't be surprised if they are not receptive. You can call the police but chances are by the time the police arrive the kids will have moved on.*

Council / Building Inspector

31. I like living in a community where there are not a ton of rules and regulations. *All Federal and State laws apply. The rules and regulations of the Village are the Charter and the Ordinances.*
32. Council / Inspectors are rude, unfair, bias, two faced and have a definite conflict of interest. Not everybody is treated equal, favoritism and intimidation. Officials are not doing their jobs, looking away when family does wrong. Issuing of permits to just certain people. Ensure building or work permits are issued for all jobs. Council / Inspectors gives misinformation or is inconsistent with enforcement of ordinances. Enforce codes and ordinances that are on the books. Hire an outsider who has no personal interest on the beach to enforce the rules or site residents for violations. Vacant lots included. Some Council members are not active in the community or eager to make changes. President and Building Inspector have to go! *The President, Commissioners, Treasurer, and Clerk are all elected Officials. If you feel select individuals are not performing their duties, don't vote for them. Campaign for someone you feel will do a good job. Better yet, if you have something better to offer the Community, run for office and make things happen. It's the democratic way. The remaining Officials are appointed by the President and the appointments approved by the Council. If you have justifiable reasons why select elected or appointed Officials should not be in office, petition the Council to have them removed as allowed for in the Charter.*
33. Intimidation at the Council meetings, especially if you bring up someone's name at a council meeting that is a committee member or a Village employee. Stopped coming to meetings - too smoky. Name calling at meetings. *Some of the past Council meetings have been a little heated from what I've seen but mostly from what I've heard. Name calling and intimidation are not a professional way to conduct a meeting, but unfortunately, some times tempers flare. It is the responsibility of the President to preside over the meetings and maintain order and etiquette, and they should be held accountable to do so. In addition, the Council members and Village employees should also be held to a higher standard of control when dealing with the residents. At this time there is no State law prohibiting smoking inside of public buildings. There are however No Smoking signs hung inside of the Village Hall. For some reason this rule is not being enforced before or after the Council meetings.*
34. I want to feel like there is recourse for the majority of EB residents, short of going to the State. *The course of action is to bring legitimate concerns and suggestions up to the Council. If you feel intimidated to bring an issue up during a Council meeting, call or talk to one of the Council members you feel comfortable with and ask them to bring up the issue, or look into the issue for you. If for whatever reason you are not happy with the response you get, or you feel that all of the Council cannot be trusted, your recourse is to go to the State, especially if the Council is not abiding by and/or enforcing the Charter and Ordinances.*
35. Unequal division of resources, as in Lakefront versus interior of Village. *I'm not sure this is the case. If you truly feel this is the case, please provide examples.*
36. We would like to see information in the newsletter about the meetings, overview of what was discussed & possible future agenda. *Due to cost, I am trying to limit the length of the newsletter to one sheet of paper. I appreciate the input on the newsletter, however, there is only so much room on the page. Including more information would be possible if everyone had either an e-mail address or access to the website that will be created, but until then, I have to continue to pass out hard copies. I also feel that providing all of this information in the newsletter would dissuade people from attending the Council meetings.*

37. What requires a building permit, and what is the process to acquire one? *Ordinance 1012 section 3 states "No building shall hereafter be constructed, altered, repaired, moved or occupied without there first having been obtained from the Village Building and Safety Code Committee a permit to do so." . Ordinance 1012 section 11 states "Any permit issued hereunder shall expire within six (6) months of its issuance and the same may be renewed only upon proper showing before such Committee that delays in construction were reasonable." . Ordinance 1031 section 1209(4) states "No fence, decorative or ornamental fence shall be constructed without first obtaining the approval setforth herein ordinance No. 1031, section 1303." . Ordinance 1031 section 1303(2) states "No building or structure, or part thereof, shall be hereinafter erected, altered, moved, or repaired unless a building permit shall have been first issued for such work. The terms "altered" and "repaired" shall include any changes in structural parts, stairways, type of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the Village of Estral beach Building code, Housing Law of Michigan, or this Ordinance, except for minor repairs or changes not involving any of the aforesaid features." . Ordinance 1301 section 1303(3) states "No land use, building or part thereof, fence, swimming pool accessory building, or any appurtenance there shall be hereafter erected, altered, moved, or repaired (excluding normal maintenance and repair), constructed, moved, enlarged, replaced, used, occupied, removed or demolished, nor shall the same be used of such building or land or part thereof, unless a zoning permit is first issued by the Building Official or by such deputies of his department as the Building Official may delegate. Such zoning permit shall be required in addition to any other permits required under the provisions of the Code. Ordinance 1041 section 6(a) states "except as exempted by sections of this ordinance, no person shall do any grading, stripping, excavation or filling nor undertake any earth change unless he has a valid grading permit issued by the Clerk or Building Inspector, with the approval of the council." . Therefore, a building permit is not required for ordinary repairs of a structure. Such repairs shall not include cutting away of any wall or portion thereof, removal or cutting of any structural beam or bearing support or removal or change to any required means of egress or rearrangement of parts affecting exit requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any stand pipe, water supply, sewer, drainage, drain leader, gas, soil, waste vent or similar piping, electrical wiring, or mechanical or other work affecting public safety or general safety.*

Examples of what does need a permit:

- *Ant major home repair that impacts the structure, electrical, plumbing, or piping which if done incorrectly could result in an unsafe condition for persons in the building or structure.*
- *Replacement of plumbing under the house.*
- *Replacement of electrical circuitry.*
- *Replacing the boards under your roof.*
- *Replacement of an outer wall.*
- *Installation of a new fence.*

Examples of what does not need a permit:

- *Replacement of plumbing associated with changing out a sink.*
- *Replacement of a light switch.*
- *Replacement of roof shingles.*
- *Replacement of siding.*
- *Repair work on an existing fence that does not replace poles..*

To obtain a permit, Ordinance 1012 section 4 states “To obtain such permit, the seeker thereof shall submit to such Committee an application requesting such permit and showing thereon the owner of the land and house affected thereby, a sketch of the proposed improvement, building, or alterations, the dimensions of such improvement, type and kind of materials to be used, window area, and distance of such improvement to street, lakefront, public ways or property boundaries.”. Ordinance 1031 section 1303(4) states “ An application for a zoning permit shall be made to the Building Department. Such application shall be accompanied by a plot plan in duplicate, drawn to scale, showing: 1) The exact dimensions of the lot. 2) The shape, size, height, and location on the lot of all buildings and/or other structures to be erected, altered or moved. 3) Dimensions and location on the lot of all existing structures. 4) Such other information as may be deemed necessary for proper enforcement of the zoning code or any other provision of the ordinance of the Village of Estral Beach. 5) Duplicate plans drawn to scale, of the proposed building or alteration.

Conflicting Ordinances: All prior existing ordinances adopted by the Village of Estral Beach inconsistent or in conflict with the provisions of this ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.”. Before construction of a building or structure the owner or owner’s agent submits an application in writing to the building department for a building permit. The application is a form provided by the building department and must be accompanied by payment of the fee as established by the Village. Three copies of written specifications and plans drawn to scale and of sufficient clarity to characterize the proposed work shall be prepared by / under an architect’s or engineer’s signature and seal. Exceptions are: (1) Proposed work determined by building official to be of minor nature. (2) Work completed by governmental subdivision or state agency costing less than \$15,000. (3) Building or use group R-3 or R-4 and not larger than 3,500 square feet or building area. The application shall additionally contain the following information: (1) Site plan showing to scale size, and location of proposed construction, existing structures, lot lines, finished grades, wells, septic systems, roads, waterways, ditches, sewer lines, water lines, municipal sewage lines must be available for use, as new septic systems are prohibited within the 100 year flood plain. (2) All appropriate information shall be provided in the identification section of the application. Information on the owner is required while information on the architect / engineer and contractor is required only when they are acting on behalf of the owner. (3) All other sections of the application must be filled out to adequately characterize the proposed project.

Permit fees:

Violations fees for not obtaining a permit prior to performing the work:

Maintenance / Buildings

38. Cut trees and bushes on Lakefront so you can see around curves. *For the most part, the trees are on private property. The limbs hanging into the road can be cut, but it is the property owner’s duty to keep their trees and bushes trimmed to prevent an unsafe condition for drivers and pedestrians. If there is an identified safety concern, the Village can send a letter to the homeowner requesting that they cut the branches or give permission for the Village Maintenance to make the cuts.*
39. Paint the flag pole. *The flag pole was recently replaced and does not require painting.*

40. Need a new Council Hall & Fire Hall. *This would require a large sum of money to fulfill and will not happen in the foreseeable future. There is not much of a tax base with only 500 to 600 residents to provide the needed funds. To raise the money, a tax increase would be required which is never a popular idea. The other option would be to sell bonds. At this point, we will have to make due with what we have.*
41. Why haven't the houses been raised in the Village. People have already gotten the permits and properly surveyed to have this done. *There are 44 applicants for having their house raised. The house raising is slow but still moving forward thanks to a few individuals pushing. The grant process was a nightmare according to those involved. The rules and contractors kept changing. One hold up was the need for a cribbing ordinance. One is presently being drafted which has satisfied the wants of the Government. If help is needed, residents with applications submitted should start a workshop to work together to make it happen.*
42. Blasting from the stone quarry has to be over what is allowed because my house shakes and we have seen cracks in the foundation. They need to be called. *Per Berlin Township, the limits for blasting are set by the Federal Government. A seismic chart is faxed to Berlin Township after each blast where it is verified that the levels are within the allowed limits. The quarries may or may not be using more explosives than needed, but the results are within the allowable levels. Berlin Township should be contacted if you believe the blasting is damaging your house. Photographs would help document the damage that you are claiming as a result of the blasting.*
43. Abandoned homes allowed too rot. Two abandoned houses on Michael Street and foundation at the north end of Lakeshore. This garage (photos) needs to be torn down. Rats, cats, mice, wasps, hornets, bees. *The International Property Maintenance Code was adopted by the Village within the last year. The goal is to start enforcing the Code starting with the worst offenders. As you can imagine, the owners of the property are probably furious and the neighbors are probably elated. The Duck Hunters Club on the Marina and the foundation on Lakeshore Drive was demolished. Abandoned homes on Michael Street and Lakeshore Drive were tagged for demolition, and the Building Inspector is talking to other homeowners with buildings in questionable states of disrepair. The Building Inspector is in contact with the individual who owns the garage in question and is trying to work out the required corrective action. The Building Inspector requests that if you see a questionable property that you inform him in writing. You have to wonder why someone would own a house, pay taxes, and allow it to sit empty and deteriorate to the point that it becomes unlivable.*
44. Stop unlicensed contractors from working in Village. *A Contractor doing work in the Village cannot pull a permit unless they are licensed. If the Homeowner pulls the permit, the Village cannot tell them who can and cannot do their work. The Inspector's job is to verify that the work performed meets the codes.*

Fire Department / Emergencies

45. Pollution from smoke from burning. What's the rule of burning trash close to ones house? *Ordinance 1043 addresses burning within the Village. To paraphrase the Ordinance, you are allowed to burn normal trash (e.g., paper, branches, leaves, etc.) on private property between sunrise and sunset as long as it takes place in a fireplace, furnace, incinerator, or other receptacle for that purpose. Dead leaves may be burned during the months of October, November, April and May of each calendar year. Burning which is done for the purpose of cooking food for human consumption, and small campfires are also allowed. What is not allowed is burning large piles of leaves, branches, housing materials, etc. without a burn permit from the Fire Chief and approved by the Village President or the Village Council. You are also not allowed to burn materials*

that emit excessive smoke (e.g., wet leaves, etc.), noxious or toxic fumes (e.g., treated lumber, plastic, rubber, etc.), or harmful or offensive fumes or gases. Section No. 8 states "Any person, firm or corporation who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor, punishable by a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment in the County Jail for not to exceed Ninety Days (90) or both such fine and imprisonment in the discretion of the court, together with costs of prosecution." Section No. 9 states "That in the event it is necessary to abate any unlawful Burning using the Estral Beach Volunteer Fire Department, the owner or violator shall be required to pay all charges and costs incurred abating said illegal burning, over and above any fine and or costs."

46. Need to know the order of the emergency horn. *DTE sends out a pamphlet about every year to each household in the area surrounding the Fermi plant. This contains the information on the emergency sirens. The 911 call for the Estral Beach Volunteer Fire Department is a cyclic sound.*
47. It seems to me that we have mingled the Fire Department and the Government of EB so badly that there is no difference between the two entities. *The purpose of the government is to serve the people by setting policies to keep the people safe, and to provide the necessities. The people that join the Council should be doing so to better the Village, not for self serving reasons which had been the case in the past. It just so happens that some of the people that care enough to volunteer their time by joining the fire department, are the same type of people that actually care about improving the Village by volunteering their time by running for the Council. As you'll notice from the ballot for the upcoming September election, there's not a lot of interest in the community to volunteer their time to serve on the Council.*

Blight / Trash

48. I have seen a lot of improvement but there is still room for more. The canal and the Marina needs to be addressed. The Marina is an eyesore. Junk boats and other trash in old Marina. *The Council did not approve the renewal of the Marina's Operating License this year since it is no longer a functional marina. The majority owner was requested to remove the old deteriorated boats, or to contact the owners and have them remove their boats. In addition, the Duck Hunters Club was torn down due to safety issues. Prior to issuance of a license, additional clean up will probably be required. Regarding the statement that the canal needs to be addressed, see the response to comment # 9.*
49. Certain driveways are an eyesore. *It's private property and the Council cannot do anything unless it violates the Charter or the Ordinances. There's no accounting for taste (or lack thereof).*
50. Clean up Hungarian Park. Let's all work together to clean up the beach once and for all. Enforce the blight rules already on the books. EB could be one of the best "beach" areas in MI. The way we are now leaves much to be desired. Our beach has such potential for beauty. Shaggy ditch areas and fields take away from that. We are much prettier than we use to be though. *The Building Inspector is contacting the owner of the Hungarian Park to request that they take responsibility for the clean up of their property. The new Maintenance Code sets forth the standard for property maintenance and is starting to be enforced. The Village residents were allowed to stay status quo for a long time regarding building and property maintenance and it will take time to get people to change their ways. It doesn't take money to clean.*
51. Pollution also caused by our trash collectors who drop a mess and drive away. *I think you have to put yourself in the Garbage collectors place. It sure would be nice if everyone bagged all of their waste so it doesn't spill out when being dumped. It sure would be nice if the residents didn't overfill their trash cans to*

the point that they are too heavy or hard to handle. You also have to admit that it would not be the easiest job riding around all day, in bad weather, dumping trash. I would suggest you pick up the mess, maybe change the way you package your trash, and put it in the can for the next week's pickup. If it is obvious that they are purposely spilling your garbage, a call to the Waste Disposal provider should rectify the problem.

52. Road & landscape material, rock, and dirt, dumped on residential property. Dumped materials on ****'s property! *Landscaping is not covered by existing ordinances, and permits are not needed unless the work being performed will change the grade of the property. Adding loads of dirt to a property may change the drainage, therefore a permit is required.*
53. Empty lots need mowed and cleaned or Village mow and clean and back charge the owners. Helping others clean up EB is great, now let's make those capable of cleaning their own mess do so! *With the new Maintenance code in effect, there is a requirement in section 302.4 to maintain lawns and fields trimmed that can be enforced. The Village has previously mowed the properties of people who failed to maintain them and in turn sent them a bill but it turned out not to be cost effective. If the bill did not get paid, it would go against the property owner's taxes but the money was not received for two years. The Village performing maintenance and back charging the property owner is still an option if needed.*