

PURPOSE: An Ordinance for (A) Promotion of Public Safety and general welfare, (B) Elimination of Fire hazards, (C) The preservation of public health, and (D) Providing for remedies and procedure in connection therewith in the Township of Arbela, County of Tuscola, State of Michigan.

THE TOWNSHIP OF ARBELA ORDAINS:

- I. This Ordinance shall be known and may be cited as:

THE ARBELA TOWNSHIP RUBBISH CONTROL ORDINANCE.
- II. Definitions: For the purposes of this Ordinance, certain words used herein are defined as follows:
 - A. The term "LITTER" as used herein means all rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, debris, or other foreign substances of every kind and description.
 - B. The phrase "PUBLIC OR PRIVATE PROPERTY OR WATERS" includes but is not limited to the right of way of any road or highway, any body of water or water course, or the shores or beaches thereof, and including the ice above such waters; any park playground, building, or recreation area; and any residential or farm properties or timberlands.
- III. It shall be unlawful for any person, knowingly, to dump, deposit, place, or release or cause or permit the dumping, depositing, placing, throwing, or leaving of "litter" on any public or private property or waters within the Township of Arbela, other than property designated and set aside for such purpose.
- IV. It shall be unlawful for the owner, agent, tenant, landlord, or occupant of land in the Township of Arbela to cause or permit any of the following:
 - A. Cause or permit such land to contain litter which would either tend to start a fire or increase the intensity of a fire already started when it shall reach said land; cause unhealthy or obnoxious conditions by sight or odor, or attract or harbor vermin; or otherwise present a threat to the public health, safety, or general welfare of the people of the Township of Arbela.
 - B. Permit such land to be covered with or contain refuse or debris resulting from the construction, demolition, or neglect of a building, which refuse or debris has remained on the land for more than thirty (30) days after completion of the construction work, the demolition, or after the loose boards, shingles, or other materials have fallen off a building; and where such refuse or debris is inimical to the preservation of the public health, safety, and general welfare of the people of the Township of Arbela; or which refuse or debris may constitute a fire hazard.
 - C. Permit on such land an abandoned, unused or unprotected well, cellar, or other unnatural declivity in which stagnant water or debris is retained or which is dangerous to a person, including a child, being or coming upon said land.

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- D. Permit to be stored or placed on such land, old lumber, metal, machines, or parts of machines, including vehicles or parts of vehicles, originally intended for transporting passengers or cargo, in need of repair or unlicensed or which cannot be readily operated under their own power or which require substantial repair, provided however, nothing herein is to prohibit the storing or placing on such lands, of implements of husbandry in operating condition and used periodically in farming operations.
- V. No person, firm, or corporation shall park, store, or place upon any public property, or upon any premises that is primarily used or is zoned for any type of residential purpose within the Township, any motor vehicle, trailer, travel trailer, mobile home, or tractor trailer, or new or used parts, or parts therefrom, unless the same is wholly contained within a fully enclosed building and does not violate any zoning or building laws of the Township, County, or State of Michigan, except for the following:
- A. Duly licensed or permitted and operable motor vehicles, trailers, travel trailers, occupied mobile homes, or tractor trailers with substantially all main component parts attached.
- B. Not more than one unlicensed vehicle in fully operating condition, or stock car, or modified car that has been redesigned or reconstructed for a purpose other than that for which it was manufactured, provided no building or garage is located upon the premises in which the same could be parked or stored. In no event shall any such vehicle be parked in the front or side street yard area of any such residential premises.
- C. Any motor vehicles, trailers, travel trailers, mobile homes, or tractor trailers that are temporarily inoperable because of minor mechanical failure, but which are not, in any manner, dismantled, and have substantially all main component parts attached, which may remain upon such private property for a period not to exceed sixty (60) days.
- VI. No repairing, redesigning, modifying, or dismantling work or operations shall be allowed upon any motor vehicle, trailer, travel trailer, mobile home, or tractor trailer or new or used parts or parts therefrom upon any public property or on any property primarily used or zoned for any type of residential purpose for a period in excess of sixty (60) days; except such as shall be accomplished within fully enclosed buildings, will not constitute a nuisance or annoyance to adjoining property owners or occupants and does not violate provisions of the Arbela Township Zoning Ordinance.
- VII. The Township Board of the Township of Arbela may cause to be posted signs of notification and otherwise publicize the requirements of this Ordinance and may establish and maintain receptacles for the deposit of litter and publicize the location thereof.
- VIII. The Building Inspector of the Township of Arbela shall be responsible for the enforcement of this Ordinance. Prior to any enforcement under the provisions of this Ordinance, the Building Inspector shall, except in the case of prosecution for violation of Section III thereof, give fourteen (14) days written notification of violation to the owner, as shown on the Township Tax Records or to any adult occupant on the premises by mailing of said notice by certified mail to said owner or occupant with return receipt requested.

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REPEAL:

Ordinances or parts of Ordinances of the Township of Arbela inconsistent or in conflict with this Ordinance are hereby repealed.

PENALTY:

A. Any person who violates any provision of this Ordinance shall, upon conviction, be punished by a fine of not more than five hundred and no/100 (\$500.00) dollars, or by imprisonment for not more than ninety (90) days in jail, or both. Each day's failure of compliance with any provisions of this Ordinance shall constitute a separate offense.

B. Legal proceedings to enjoin the violation of any of the provisions of this Ordinance may be brought in any court of competent jurisdiction in the name of the Township of Arbela. Such action shall be taken only as authorized by the Arbela Township Board.

C. Any parking, storage, placement, or operation in violation of the provisions of this Ordinance are hereby declared to be a public nuisance which may be enjoined or which may subject the violator to civil damages and the fines and penalties hereinabove provided.

INVALIDITY:

If any section, paragraph, sentence, clause, phrase, or part of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE:


This Ordinance shall be effective thirty (30) days from and after publication thereof.

This Ordinance is hereby declared to have been adopted by the Township of Arbela, County of Tuscola, Michigan at a regular meeting thereof held on the 8th day of May, 1989 and ordered to be given publication in the manner prescribed by law.

We, Richard D. Halloran Jr., Supervisor of the Township of Arbela, and Mary C. Warren, Clerk of the Township of Arbela, do hereby certify that the foregoing is a true copy of an Ordinance adopted by the Township Board of the Township of Arbela at a meeting held on the 8th day of May, 1989.



Richard D. Halloran, Jr., Supervisor



Mary C. Warren, Clerk

Date of First Reading: February 13, 1989

Date of Second Reading: March 13, 1989

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	YES	NO
<u>Richard D. Fabroni</u> Supervisor	<u>X</u>	<u> </u>
<u>Mary C. Warren</u> Clerk	<u> </u>	<u> </u>
<u>Ruth S. Reilly</u> Treasurer	<u>X</u>	<u> </u>
<u>Lee Roy Clark</u> Trustee	<u>X</u>	<u> </u>
<u>Billy B. Turner</u> Trustee	<u>X</u>	<u> </u>

I, MARY C. WARREN, Clerk of the Township of Arbela, do hereby certify that the above are the names of the members of the Township Board of the Township of Arbela, voting on the above Ordinance and how said members voted.

Mary C. Warren

MARY C. WARREN, CLERK

I, MARY C. WARREN, Clerk of the Township of Arbela, do hereby certify that the above Ordinance was published by insertion in The Millington Herald, a newspaper circulating within the Township of Arbela, on the 30th day of May, 1989.

Mary C. Warren

MARY C. WARREN, CLERK