

AN ORDINANCE TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS, OR CAUSES OF BLIGHT, WITHIN THE TOWNSHIP, AND TO SECURE THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE BY PROHIBITING THE ACCUMULATION OF TRASH AND JUNK OR EITHER OF THEM ON PREMISES OTHER THAN IN PROPERLY DESIGNATED SANITARY LANDFILLS OR LICENSED JUNK YARDS, AND TO PROVIDE PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

NOW, THEREFORE, THE TOWNSHIP ORDAINS:

SECTION 1. Title:

This ordinance shall be known and cited as the GLADWIN Township Junk Ordinance, regulating junk storage and accumulation in GLADWIN Township.

SECTION 2. Purpose:

Nothing in this ordinance shall be construed to abrogate, affect, or supersede any applicable state law or county ordinances, regulations, or authority. It is the purpose of this ordinance to supplement state laws and to regulate the storage and accumulation of junk in the absence of regulation by state law or ordinances.

SECTION 3. Definitions:

- (a) The terms "Junk" and "Trash" are used synonymously and each as herein used shall include, without limitation, the following: Used articles or used pieces of: iron, scrap metal, automobile bodies or parts of machinery or junked or discarded machinery, furniture, appliances, used lumber which may be used as a harborage for rats, ashes, garbage, industrial by-products or waste, empty cans, food containers, bottles, crockery, utensils of any kind, boxes, barrels, and all other articles customarily considered trash or junk and which are not housed in a building.
- (b) The term "Private Premises" shall mean any lot or parcel of land owned or occupied by a person, whether or not improved with any dwelling, house, building, or other structure, whether inhabited or temporarily or continuously uninhabited or vacant.
- (c) The term "Person" as used herein shall include any person, firm or corporation.

SECTION 4. Regulation

It shall be unlawful for any person to accumulate, place, or allow or permit the accumulation or placing of trash or junk on any premises in said township, except in a sanitary landfill licensed by the State of Michigan, in a junk yard duly licensed by the Township or in receptacles for not longer than twenty (20) days while awaiting lawful disposal.

SECTION 5. Failure to Remedy Prohibited Condition; Lien.

Should the owner fail to remedy the condition after notice as described herein, the Ordinance Enforcement Officer or the duly authorized representative of the Township of GLADWIN may remedy the condition or cause the same to be done by personnel of the Township or by private contractor, and the actual cost of remedying the prohibited condition plus 10% for inspection and overhead and other additional costs in connection therewith, shall be collected as a special assessment against the premises as provided in the statutes and shall become a lien against the property. Levying or collecting such a special assessment shall not relieve any person offending against this Ordinance from the penalty prescribed for the violation of same.

SECTION 6. Violation.

(a) Any violation of or any failure to comply with the provisions of this Ordinance shall be deemed a misdemeanor and shall be punishable by a fine not to exceed \$500.00 and/or 90 days in jail. Each day that a violation of this Ordinance is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this Section. The Township may proceed under Paragraph 5 or 6, or both.

(b) In addition to any remedies available at law, the township may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this Ordinance.

SECTION 7. Severability.

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part declared to be invalid.

SECTION 8. Effective Date.

This Ordinance shall become effective thirty (30) days from the date of publication in a newspaper in general circulation within the Township of GLADWIN.

Adopted - 10-18-00

Effective 30 days After Publication



Onalee G. Greer
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Gladwin, MI 48624