

TOWNSHIP OF TILDEN ORDINANCE NO. 10

AMENDMENT TO MISCELLANEOUS DEBRIS ORDINANCE
OF THE TOWNSHIP OF TILDEN, MICHIGAN

The Board of Tilden Township, Marquette County, Michigan, ORDAINS:

That Ordinance Number 8, being the Tilden Township Miscellaneous Debris Ordinance, which was adopted on May 20, 1997, is hereby amended to read as follows:

Tilden Township Miscellaneous Debris Ordinance

"AN ORDINANCE REGULATING THE STORAGE OF MISCELLANEOUS DEBRIS IN THE TOWNSHIP OF TILDEN"

ARTICLE I

SECTION 1.1 SHORT TITLE

This Ordinance shall be known as "Miscellaneous Debris Ordinance."

SECTION 1.2 DEFINITIONS

- (A) The term "person" as used in this Ordinance shall mean and include an individual, corporation, company, association, joint venture, partnership, receiver, trustee, guardian, executor, administrator, personal representative or private organization. "Person" shall also include the respective landowner or occupant or person in possession of any real property.
- (B) The term "motor vehicle" shall be deemed to include every vehicle which is intended to move or transport persons or property which is self-propelled by means of an internal combustion engine, and shall include, but not be limited to, automobiles, trucks, vans, buses, tractor-trailers, motorcycles, motorbikes, motor-scooters, mopeds, bulldozers, front-end loaders, and other types of construction equipment, logging skidders and snowmobiles.
- (C) A motor vehicle shall be deemed "inoperable" where any of the following conditions exist:
 - 1. Where it is being dismantled for sale, salvage, repair or reclamation of the parts thereof;
 - 2. Where it does not have all of its main component parts properly attached; or
 - 3. Where any other additional conditions exist which cause the vehicle, if eligible for operation on public streets, to be incapable of being operated in a lawful manner upon public streets.
- (D) The term "main component parts" shall be deemed to include all such parts or equipment as are necessary for a vehicle to be lawfully driven or drawn upon the public streets pursuant to the Michigan Vehicle Code, being Act Number 300 of Public Acts of 1949, as amended, and shall include fenders, hood, wheels, radiator, motor, windows, doors, muffler, body, and essential engine parts.
- (E) The term "miscellaneous debris" shall include wood, metal, tires, junk, synthetic materials, carpeting, final floor coverings, furniture, appliances, household goods, clothing, toys, glass, wire, rubbish, scrap iron and other metals, paper, rags, machinery, implements, equipment or personal property or any kind or nature which is no longer properly usable for the purpose for which it was manufactured, and which create a hazard to the health, safety or welfare of the public. The term "miscellaneous debris" shall also include inoperable motor vehicles.

ARTICLE II

SECTION 2.1 STORAGE OF MISCELLANEOUS DEBRIS

It shall be unlawful for any person in possession of any real property to continue the storage or accumulation of miscellaneous debris on any parcel of land unless it is kept in a fully enclosed building.

ARTICLE III

SECTION 3.1 NUISANCE

Any storage of miscellaneous debris upon any premises in violation of the provisions of this Ordinance are hereby declared to be a public nuisance and may be enjoined or subject the violator to penalties and remedies as described in this Ordinance.

ARTICLE IV

SECTION 4.1 NOTICE TO REMOVE

On the advice of the Township Board or on his/her initiative, the Township Clerk or the designated Ordinance Enforcement Officer, is hereby authorized to send out written notice to the owner or occupant of such real property to remove miscellaneous debris located on such property. The notice shall be sent by first-class mail to the owner or occupant at such person's last known address. The notice will require removal of the miscellaneous debris within a reasonable period of time, which time shall not be less than fifteen (15) days from the date of delivery of the notice. The occupancy shall be deemed an agent of the owner of the real property for service of such notice.

ARTICLE V

SECTION 5.1 PENALTIES AND ENFORCEMENT

- (A) Any person who violates the provisions of this Ordinance shall be deemed responsible for a civil infraction and shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500.00) for each infraction. Each day that a violation continues to exist shall constitute a separate infraction. Such penalties shall not preclude any other civil action against the violator for injunctive or other relief.
- (B) The Ordinance shall be enforced by the Supervisor of the Township, by the Ordinance Enforcement Officers of the Township of Tilden, or by any other persons as the Township Board may, by Resolution, from time to time, designate.

ARTICLE VI

SECTION 6.1 SEVERABILITY

The provisions of this Ordinance are declared to be severable, and if any clause, sentence, word, section or provision is declared void and unenforceable by reason of any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.

ARTICLE VII

SECTION 7.1 EFFECTIVE DATE

This Amendment shall become effective thirty (30) days after publication.

Adopted by the Township Board of the Township of Tilden on the 18th day of July, 2006.