



Sandstone Charter Township

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Ordinance No. 2021-3

NUISANCE AND TRASH DISPOSAL ORDINANCE

**CHARTER TOWNSHIP OF SANDSTONE
JACKSON COUNTY**

An ordinance to provide for the exercise of certain municipal powers of the Charter Township of Sandstone to promote the health, safety, and welfare of persons and property in the Township by defining and prohibiting public nuisances and to provide penalties for the violation of the provisions thereof.

THE CHARTER TOWNSHIP OF SANDSTONE ORDAINS:

Section 1. Title

This ordinance shall be known as the Sandstone Charter Township Nuisance and Trash Disposal Ordinance.

Section 2. Definitions

Unless the context indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- 2.1. "Appliance" shall mean any mechanism which is operated by gas, electric current or motor, including, but not limited to, an ice box, freezer, refrigerator, dish washer, or stove.
- 2.2. "Garbage" shall mean all degradable wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, and shall include all such substances from all public and private establishments and from all residences.
- 2.3. "Person" shall mean and include persons, corporations, partnerships associations, joint stock companies, societies and all other entities of any kind capable of being sued.
- 2.4. "Rubbish" shall mean excessive piles of the following with no intended use or purpose, dirt, leaves, grass trimming straw, shavings, or ashes. Any accumulation of tin cans, waste paper, tires, junk and in general, non-degradable wastes, normally incident to the lawful

use of the premises on which accumulated.

Section 3. Nuisance Defined and Prohibited

Whatever injures or endangers the safety, health, comfort or repose of the public; offends public decency; interferes with, obstructs or renders dangerous any street, highway or stream; or in any way renders the public insecure in life and property is hereby declared to be a public nuisance. Public nuisances shall include, but not be limited to, whatever is forbidden by a provision by this ordinance. No person shall commit, create or maintaining any public nuisance.

Section 4. Littering and Accumulation of Garbage, Rubbish, and Other Material

It shall be the duty of every owner and/or occupant of property to at all times maintain the premises, in a clean and orderly condition, permitting no deposit or accumulation of garbage or rubbish upon such premises including road right of way, unless stored or accumulated as hereinafter provided. It shall be the duty of every owner and/or occupant of property to place garbage accumulated or stored outside of a dwelling or building of any premises in containers which shall be placed at the rear or side of buildings in a place which is reasonable inconspicuous and away from street and places occupied by other persons. Such containers, when used for the storage or accumulation of garbage or rubbish which is contaminated by garbage shall be constructed of nonabsorbent materials, shall be kept in a clean and sanitary condition and shall be covered. Such containers used for the accumulation and storage of rubbish shall be covered if there is a likelihood that rubbish will be carried therefrom by wind or other natural causes. Garbage and rubbish accumulated as aforesaid must be disposed of within a reasonable period of time in a manner not inconsistent with the provisions of this ordinance.

Section 5. Abandoned or Inoperable Appliances

It shall be the duty of the owner and/or occupant of every premises to keep dismantled, partially dismantled or inoperative appliances which shall be stored, placed or permitted to be stored or placed on premises owned or occupied by him, in a wholly enclosed garage or other wholly enclosed structure. Provided further, that the owner and/or occupant of every premises shall not leave in any place accessible to children any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has an airtight door, or lock which may not be released or opened from the inside of said icebox or refrigerator or container unless the said lock or door has been removed therefrom.

Section 6. Duty of Owner, Lessee or Occupant

It shall be the duty of any owner and/or occupant of any land within the Township to abate any nuisance existing on property located within the Township under the owner's, and/or or occupant's control. This includes the removal of all forbidden items as set forth above.

Section 7. Township Does Work

Unless otherwise provided for in this ordinance, if any owner and/or occupant of any land within

the Township, fails to comply with the provisions of this ordinance, the Township Board shall, by its designated representative, serve either personally, or by certified or regular mail, written notice upon the owner and/or occupant or any person having the care or control of any such land to comply with the provisions of this ordinance. If the person upon whom the notice is served fails to abate the nuisance within seven (7) days after receipt of such notice, or if no owner can be found of such land, the Township Board shall cause the nuisance to be abated.

Section 8. Recovery of Costs by Township

If the Township incurs any costs in the process of abating any nuisance under this ordinance the actual cost incurred by the Township in doing so, shall be charged against the owner and/or occupant of the premises where the nuisance existed.

Section 9. Penalties and Remedies for Violations

9.1. Any person violating any provision of this ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed as set forth in the Sandstone Charter Township Municipal Civil Infractions and Ordinance Enforcement Ordinance.

9.2. In addition to the foregoing, any violation of this ordinance shall be deemed a nuisance per se, permitting the Township Board, its officers, agents or any private citizen to take such action in any Court of competent jurisdiction to cause the abatement of such nuisance, including injunctive relief.

Section 10. Severability

If any court of law of equity within the State of Michigan determines that any provision within this ordinance is unconstitutional, void, voidable, or unenforceable, the remaining provisions of the same section and other sections of this ordinance shall be deemed separate, distinct and valid in all respects from said provision.

Section 11. Repealed

The Township’s prior Garbage and Rubbish Disposal Regulations, which was adopted on July 12, 1965, is repealed in its entirety.

Section 12. Effective Date

This ordinance shall become effective thirty (30) days after its adoption.

On motion by _____, second by_____.

YEAS: _____

NAYS: _____

ABSENT: _____

Ordinance declared adopted on _____, 2021.

L. Keith Acker
Township Supervisor
Charter Township of Sandstone

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Kimberly Britten, the duly elected Clerk of the Charter Township of Sandstone certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Charter Township of Sandstone on _____, 2021 and published in the County Press, a newspaper circulated in the Charter Township of Sandstone on _____, 2021.

Kimberly Britten
Township Clerk
Charter Township of Sandstone