CHARTER TOWNSHIP OF SANDSTONE

AN ORDINANCE TO CONTROL AND PROHIBIT THE LITTERING OF PUBLIC AND PRIVATE PROPERTY WITHIN THE TOWNSHIP OF SANDSTONE

ORDINANCE NO. 44

At a regular meeting of the Township Board of the Charter Township of Sandstone held in the Township Hall on the ~~8~~ 12th day of ~~July~~ August, 2002, at 7:00 p.m., the following Ordinance was heard and passed:

THE CHARTER TOWNSHIP OF SANDSTONE ORDAINS:

SECTION 1. UNLAWFUL ACTS

It is unlawful for a person to knowingly dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of, litter on public or private property or water other than property designated and set aside for such purposes. The phrase "public or private property or water" includes, but is not limited to, the right of way of a road or highway, a body of water or watercourse, or the shore of beach thereof, including the ice above the water; a park, playground, building, refuge, or conservation or recreation area; and residential or farm properties or timberlands. It is unlawful for a person who removes a vehicle wrecked or damage in an accident on a highway, road, or street, to fail to remove all glass and other injurious substances dropped on the highway, road, or street as a result of the accident.

SECTION 2. DEFINITION

The term "litter" as used herein means all rubbish, refuse, water material, garbage, paper, glass, cans, bottles, trash, plastic, metal, parts, debris, or other foreign substances of every kind and description.

SECTION 3. VIOLATION

Any person who violates this Ordinance is guilty of a misdemeanor and may be fined not more than Five Hundred ($500.00) Dollars and costs of prosecution, or imprisoned in the County Jail not to exceed ninety (90) Days or both. The Court, in lieu of another sentence imposed, may direct a substitution of litter gathering labor, including, but not limited to, the litter connected with the particular violation, under the supervision of the Court.

SECTION 4. PRESUMPTION

The driver of a vehicle or vessel is presumed to be responsible for litter which is thrown, dropped, dumped, deposited, placed or left from the vehicle or vessel on public or private property, or waters defined in Section 1.

SECTION 5. VEHICLE DEFINED

For the purpose of this Ordinance "vehicles" means every motor vehicle registered under Act 300 of the Public Act of 1949, as amended.

SECTION 6. SEVERABILITY

If any section, subsection, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion of this Ordinance, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. EFFECTIVE DATE

This Ordinance shall be published in the manner provided by law and shall take effect thirty (30) days after publication.

Adopted: 8-12-02.

Effective: 9-13-02.

Keith Acker, Supervisor

Priscilla Sutliff, Clerk