

STATE OF MICHIGAN
COUNTY OF LIVINGSTON
TOWNSHIP OF MARION
LIVINGSTON COUNTY, MICHIGAN
MARION TOWNSHIP NUSIANCE ORDINANCE NO.19-01

Section 1: Title

This ordinance shall be known and cited as the Marion Township Nuisance Ordinance.

Section 2: Purpose

The purpose of this ordinance is to secure public health, safety and general welfare and to deter loud noises and disturbances of the peace, quiet and comfort of the residents and property owners of the township by any person, their possessions, or owned animal.

Section 3: Definition

The word "nuisance" as used in this ordinance means any act or acts or omission to act on the part of any person which creates or permits the existence of a situation which annoys, injures or endangers the peace, welfare, order, health or safety of the public in their persons or property. As defined herein, a nuisance includes, but is not limited to, conditions which render persons insecure in the use and enjoyment of their property, such as effects and emanations from noise, glare, lights, vibration, dust, smoke, odor, gas, steam, fly-ash, soot, acids, chemicals, fumes, cinders, worms, insects, rodents, flies, decaying matter, whether such effects and emanations are natural or result from human or mechanical alteration or manipulation of materials. A nuisance also include residues or leaching from deposits of matter which seep into water on the surface or in the ground thereby making it unfit or unpalatable for human consumption, or for use by domestic animals. A nuisance includes a condition which is indecent, obnoxious, or offensive to the senses.

Section 4: Abatement

It is the duty of the person who creates, causes, allows, suffers or permits the existence of a nuisance, to abate the same. The term "abate" or

“abatement” shall include demolition removal, repair, maintenance, construction, reconstruction, replacement and reconditioning of structures, appliances, appurtenances or equipment; and it shall also include removal, transportation, buying, disposal and treatment of refuse, manure or other substance or media capable of causing obnoxious odors or of attracting or breeding flies, and the application of chemicals insecticides or other substances or the use of mechanical means to control, eradicate and eliminate the nuisance conditions, including screening by vegetation and/or fences.

Section 5: Procedure

When a nuisance occurs the following procedure shall be followed:

A) Offended party peaceably contact the offender to discuss/inform of the issue. If the offended party is unwilling/unable to contact the offender or there is no resolution then,

B) Notify the township by filing a written complaint (containing information of: who, what, when, where). Township staff will attempt to resolve the issue then,

C) In case there is no reasonable resolution, after a possible site visit by township staff, a further resolution may be attempted by:

- 1) Board of Trustee show cause hearing
- 2) Contacting township attorney
- 3) Other agencies relating to the situation and issues involved.

Section 6: Violation and Enforcement

Violation of this ordinance shall constitute a municipal civil infraction, subject to the penalties stated herein. The Supervisor is hereby authorized to enforce this ordinance, and he/she may delegate the enforcement to any administrative official, employee or contractor of the Township. The Township may seek abatement of a nuisance and such other relief as may be obtained by civil proceedings in court.

Section 7: Penalties

A penalty of \$50.00 shall be imposed on the property owner for each offense.

The Marion Township Nuisance Ordinance No. 19-01 can be purchased, examined, or inspected at the Marion Township Hall, 2877 W. Coon Lake

Road, Howell, MI 48843 Monday through Thursday between the hours of 9am and 5pm.

Motioned by Les Andersen, supported by Greg Durbin. Motion carried 7-0.

Tammy L. Beal, MMC
Marion Township Clerk

Date adopted by the township board:	December 12, 2019
Date published by the newspaper:	December 21, 2019
Name of the newspaper:	Fowlerville News & Views
Effective date:	January 12, 2020
Date filed with Livingston County Clerk:	December 23, 2019
Date recorded in township's ordinance book:	December 23, 2019