

**TOWNSHIP OF MARION
LIVINGSTON COUNTY, MICHIGAN**

**LITTER ORDINANCE
ORDINANCE NO.
(adopted July 11, 1978)**

An ordinance to control and prohibit the littering of public and private property and waters; and to prescribe penalties for violation of said ordinance.

Section 1: Littering—Public and Private Property

It is unlawful for any person knowingly, without consent of the township, to dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing or leaving of, litter in or upon any public or private premises or any waters in the township other than property designated and set aside for such purposes, or except in public receptacles and private receptacles for collection.

Section 2: Definitions

Litter: all rubbish, waste material, garbage, including but not limited to the following: waste composed of animal, fish, fowl, fruit or vegetable matter; dead animals; putrescible and non-putrescible solid waste (except body waste); ashes; glass, can, and bottles; discarded or abandoned machinery; discarded motor vehicles or parts thereof, industrial waste.

Person: any individual or legal entity.

Motor Vehicle: every motor vehicle registered under Act No. 300 of Public Act of 1949 of the State of Michigan as amended.

Public Premises: any and all streets, rights-of-way of any road or highway, sidewalk, boulevard, alley or other public way and any and all public park, square, open space, conservation or recreation areas, playground or building.

Vessel: every description of watercraft other than a seaplane on the water, used or capable of being used as a means of transportation on water.

Waters: any body of water or water course on the shore or beach thereof, including the ice above the water.

Section 3: Litter Thrown by Persons in Vehicles

It is unlawful for any person while a driver or passenger in a vehicle or vessel to throw or deposit litter upon any street, roadway, waters, or other public place or private premises within the township.

Section 4: Placement of Litter in Receptacles to Prevent Scattering

Persons placing litter in public or private receptacles designed for such purpose shall do so in a manner to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public or private lands or place.

Section 5: Truckloads Causing Litter

No person shall drive or move any motor vehicle or trailer within the township unless such vehicle or trailer is constructed or loaded to prevent any load, contents or litter from being blown or deposited on any street, alley or public or private lands or place.

Section 6: Owner to Maintain Premises Free of Litter; Notice to Remove

1. It is unlawful for the owner or person in control of any private property to fail to maintain his premises free of litter after due notification by the township supervisor, or his/her designee, that said premises is a danger to the public health, safety and welfare.
2. The township supervisor, or his/her designee, is hereby authorized and empowered to personally, or by registered mail return receipt requested, notify the owner of any property within the township that said property is dangerous to public health, safety and welfare.
3. Upon failure, neglect or refusal of any owner or agent so notified to properly dispose of litter dangerous to the public health, safety and welfare within thirty (30) days of receipt of notices as provided in subsection 2 above, the township supervisor, or his/her designee, shall make a full and complete report thereof to the township board, and the township board may then cause the township attorney to prepare, file and process a complaint and request a warrant for the arrest of the offending individual(s).

Section 7: Presumptions re. Vehicles or Vessels

1. In a proceeding for a violation of this act involving litter from a motor vehicle or vessel, proof that the particular vehicle or vessel described in the citation, complaint or warrant was used in the violation, together with proof that the defendant named in the citation, complaint or warrant was the registered owner of the vehicle or vessel at the time of the violation, constitutes in evidence a presumption that the registered owner of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.
2. The driver of a vehicle or vessel is presumed to be responsible for litter which is thrown, dropped, dumped, deposited or placed or left from the vehicle or vessel on public or private property or waters.

