

**BATH CHARTER TOWNSHIP
CLINTON COUNTY, MICHIGAN
CODES OF ORDINANCES AMENDMENT**

LITTERING ORDINANCE

ORDINANCE NO. 28.11

At a duly scheduled meeting of the Township Board of Bath Charter Township, Clinton County, Michigan, held at the Bath Charter Township Board Meeting Room on June 21, 2022, at 6:01 p.m., Township Board Member Fewins-Bliss moved to adopt the following ordinance, which motion was seconded by Township Board Member Benzie:

PREAMBLE

An ordinance to amend Chapter 42, Article III, "offenses involving property rights" of the Bath Charter Township Code of Ordinances by adding Section 42-82; to establish penalties for violation; and to provide an effective date hereof.

THE CHARTER TOWNSHIP OF BATH, CLINTON COUNTY, MICHIGAN, ORDAINS:

SECTION 1. TITLE.

This Ordinance shall be known as the "Bath Charter Township Littering Ordinance."

SECTION 2. AMENDMENT TO CHAPTER 42, ARTICLE III OF THE CODE OF ORDINANCES.

Amendment to Chapter 42, Article III, "OFFENSES INVOLVING PROPERTY RIGHTS" to add "Littering" Code Section 42-82 shall be and is hereby amended as to read as follows:

SECTION 3. DEFINITIONS.

As used in this Ordinance:

- (a) "Litter" means any of the following:
 - (i) Rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, trash, debris, or other foreign substances.
 - (ii) A vehicle that is considered abandoned under section 252a of the Michigan Vehicle Code, 1949 PA 300, MCL 257.252a.
 - (iii) An abandoned vessel as defined in section 80130f.
 - (iv) An ORV that is considered abandoned under section 80130f as made applicable in section 81151.
 - (v) A snowmobile that is considered abandoned under section 80130f as made applicable in section 82161.
- (b) "Public or private property or water" includes, but is not limited to, any of the following:

- (i) The right-of-way of a road or highway, a body of water or watercourse, or the shore or beach of a body of water or watercourse, including the ice above the water.
- (ii) A park, playground, building, refuge, or conservation or recreation area.
- (iii) Residential or farm properties or timberlands.
- (c) "Vehicle" means a motor vehicle registered or required to be registered under the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923.
- (d) "Vessel" means a vessel registered under part 801.

SECTION 4. LITTERING PROPERTY OR WATER PROHIBITED; REMOVAL OF INJURIOUS SUBSTANCES DROPPED ON HIGHWAY AS RESULT OF ACCIDENT.

- (a) A person shall not knowingly, without the consent of the public authority having supervision of public property or the owner of private property, 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.
- (b) A person who removes a vehicle that is wrecked or damaged in an accident on a highway, road, or street shall remove all glass and other injurious substances dropped on the highway, road, or street as a result of the accident.
- (c) A person who violates this section is responsible for a civil infraction and is subject to a civil fine of not more than \$500.00.

SECTION 5. SEVERABILITY.

If any section, paragraph, clause, phrase or part of this Ordinance is held invalid by any court of competent jurisdiction, or by any agency, department, or commission empowered by statute for such purpose, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

SECTION 6. REPEAL.

All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect. All ordinances or parts of ordinances not expressly amended, deleted, or repealed, remain in effect.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after its adoption and publication as provided by law.

YEAS: Rosekrans, Butler-Challender, Howe, Wiswasser, Benzie, Almerigi, Fewins-Bliss

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.

Marie E. Howe

Marie E. Howe, Supervisor

CERTIFICATION

I, Brenda L. Butler-Challender, Clerk of Bath Charter Township, do hereby certify that the above is a true action taken by the Bath Township Board of Trustees as follows:

First Reading: June 6, 2022

First Publication: June 19, 2022

Second Reading/Adoption: June 21, 2022

Effective Date: July 21, 2022

Brenda L. Butler-Challender

Brenda L. Butler-Challender, Clerk