

LAKE TOWNSHIP

PORTABLE TOILET ORDINANCE

Ordinance No. 2014 –02

An Ordinance to protect the health, safety and general welfare of the persons and property within Lake Township, Huron County, Michigan by regulating the use of portable toilets within the Township and to provide penalties for the violation thereof.

THE TOWNSHIP OF LAKE ORDAINS:

Section 1: Name. This Ordinance shall be known and cited as the Lake Township Portable Toilet Ordinance.

Section 2: Purpose. The purpose of this ordinance is to regulate the use of portable toilets on private property within the township boundaries.

Section 3: Provisions for Use. The Township will require the following regulations to be adhered to when using portable toilets for any kind of use:

- A. Use of any type of portable toilet is prohibited unless a permit has been obtained from the Lake Township Office prior to placement.
- B. Units must be emptied and cleaned no less often than once per week or more if needed.
- C. Units must be set no closer than ten (10) feet of any property line.
- D. Units must be screened from public view, if placed for more than three (3) days.
- E. Units must be kept, as much as possible, out of neighboring structures’ direct line-of-sight.
- F. Units are limited to fifteen (15) day placements before needed to be removed. Longer usage times will require the approval of the Township Board.
- G. The Township Board may approve long-term use of portable toilets for up to one (1) year provided the units are concealed from the public view by screening.

Section 4: Violation and Penalty. Any person that violates any provision of this Ordinance shall be deemed responsible for a municipal civil infraction and fined in accordance with the following schedule:

	<u>Minimum Fine</u>	<u>Maximum Fine</u>
--- 1 st offense within 2 year period*	\$100.00	\$500.00
--- 2 nd offense within 2 year period*	\$300.00	\$500.00
--- 3 rd or subsequent offense within 2 years*	\$500.00	\$500.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Lake Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$100.00 nor more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation of this Ordinance continues to exist shall constitute a separate violation of this Ordinance.

Section 5: Severability. Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any other part thereof other than the parts so declared to be invalid.

Section 6: Effective Date. The undersigned Supervisor and Clerk of the Township of Lake hereby certify that this Ordinance was adopted by the Township Board on the 19th day of May, 2014 and was published in the Huron County View on the 29th day of May, 2014. This Ordinance shall become effective thirty (30) days after said date of publication.

Valerie J. McCallum, Township Supervisor

Claren Russell, Township Clerk

Adopted: May 19, 2014

Published: May 29, 2014

Effective: June 28, 2014