

## TOWNSHIP OF LAKE

### ORDINANCE NO. 2000-1

## NUISANCE ABATEMENT ORDINANCE

An Ordinance to preserve the peace, welfare, order, health and safety of persons and property in Lake Township, and to prescribe a penalty for the violation of the provisions of this ordinance.

### THE TOWNSHIP OF LAKE, HURON COUNTY, MICHIGAN ORDAINS:

#### Section 1: Definitions

1. The word "persons" or "person" as used in this ordinance means a natural person and also includes corporations, partnerships and associations and their officers and officials existing under or authorized to exist under the laws of the State of Michigan or of any other state or any foreign country.

2. 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 life or 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 alternation 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 2: Penalty

Any person who creates, causes, allows, suffers or permits the existence of a nuisance shall be guilty of a misdemeanor. Each day that such nuisance is permitted to exist shall constitute a separate misdemeanor. Any person who is convicted of such a misdemeanor shall be punished by a fine not in excess of \$500.00 or by imprisonment in the Huron County jail for a period not to exceed 90 days, or both such fine and imprisonment at the discretion of the judge imposing sentence.

#### Section 3: 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 screen-belts of trees and fences.

**Section 4: Enforcement**

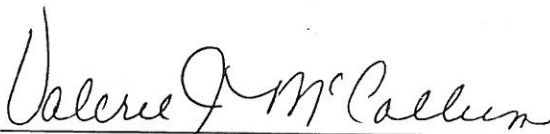
The supervisor is hereby authorized to enforce this ordinance, and he may delegate the enforcement to any administrative official or employee of Lake Township. Lake Township may seek abatement of a nuisance and such other relief as may be obtained by civil proceedings in court. This is in addition to and not in derogation of prosecutions for violations of this ordinance under Section 2 hereof.

**Section 5: Effective Date**

The adoption of this Ordinance shall take effect 30 days after publication of this ordinance as required by law.

Passed and adopted by the Township Board of Lake Township, Huron County, Michigan, this 15<sup>th</sup> day of MAY, 2000.

  
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Clay Kelterborn, Supervisor

  
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Valerie J. McCallum, Clerk