

Ordinance No 18
Township of Bridgewater
Littering

An ordinance to provide for the regulation control and prohibition of littering of or on property or waters of and in Bridgewater Township, and to provide penalties for violation thereof.

THE TOWNSHIP OF BRIDGEWATER, WASHTENAW COUNTY, MICHIGAN ORDAINS:

SECTION 1. Definitions The following words or terms when used herein shall be deemed to have the meanings set forth below:

- a. The term "litter" shall include, without limitation, shavings, sawdust, refuse, rubbish, trash, chips, bricks, ice, dirt, manure, filth, parts of machinery or motor vehicles, parts of broken furniture, stoves or other appliance or any other loose or cast-off material or articles of any kind.
- b. The term "person" shall include all natural persons, firms co-partnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee. All persons who violate any provision of this ordinance, whether as owner, occupant, lessee, agent, servant, or employee shall be equally liable as principals.
- c. The term "public or private property or water" includes but is not limited to, the right of way of a street, road or highway, a body of water or water course, or the shore or beach thereof, including the ice above the water park, playground, building, refuge, or conservation or recreation area; and residential or farm properties or timberlands.
- d. The term "vehicle" means every motor vehicle required to be registered under the provisions MCLA 257.9=, as amended, to operate on the public road.
- e. The term "vessel" means a vessel required to be registered under the provisions of MCLA 281.1199, as amended, to operate.

Section 2. It shall be unlawful for any person to knowingly, without the consent of this township or the owner of private property in this township, to dump, deposit, place, throw, or cause or permit the dumping, depositing, placing, throwing, or leaving of, litter on public or private property or eater within Bridgewater Township other than property designated and set aside for such purposes.

Section 3. It shall be unlawful for a person who removes a vehicle, wrecked or damaged in an accident, on a highway, road, or street, to fail to remove all glass and other injurious substances or litter dropped on the highway, road or street as a result of the accident.

Section 4. Except as provided for in Section 6 involving litter from a leased vehicle or leased vessel, in a proceeding for a violation of this ordinance 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.

Section 5. The driver/owner of vehicle or vessel is presumed to be responsible for litter which is thrown, dropped, dumped, deposited, placed, or left from the vehicle or vessel on public or private property defined in Section 1.

Section 6. In a proceeding for a violation of this act involving litter -From a leased motor vehicle or leased vessel, proof that particular vehicle described in the citation complaint or warrant was used in the violation, together with proof that the defendant named in the citation, complaint, or war rant was the lessee of the vehicle or vessel at the time of the violation, constitutes in evidence a presumption that the lessee of the vehicle or vessel was the driver of the vehicle or vessel at the time of the violation.

Section 7. Any violation of this ordinance by any person shall be deemed a misdemeanor and shall be punishable by a fine not to exceed \$500.00 and costs of prosecution, or by imprisonment not to exceed 90 days, or both. The Court, in lieu of the other sentence imposed, may direct a substitution of litter-gathering labor, including, but not limited to, the letter connected with the particular violation, under the supervision of the court. Each day that a violation continues shall be deemed to be a separate violation. This ordinance shall not prevent the township from using other methods or means available to it under Michigan Law pertaining to litter problems or violations.

Section 8. Should any section, clause, or provision of this ordinance be declared by any court to be invalid, the same shall not affect the validity of the remaining portions of such section of this ordinance or any part thereof than the part so declared to be invalid.

EFFECTIVE DATE. The Ordinance shall take effect immediately.

Certification of Township Clerk

I, Karen Weidmayer, Clerk of the Township of Bridgewater, Washtenaw County, Michigan, hereby certify that the foregoing ordinance of the Township of Bridgewater was duly adopted by the Township Board of Bridgewater Township assembled at a regular meeting of said Board held February 1b, 1991. I further certify that Board Members; Leonard Dayss, Harlin Fraumann, Andrew poet, Douglas Parr and Karen Weidmayer, voted for adoption of the ordinance and no Board Members voted against adoption. I further certify that the

same was

duly printed and published the week of the 25th of February, 1991, in the Manchester Enterprise, a newspaper circulated in the Township of Bridgewater. I further certify that I mailed a copy of the within ordinance to the Washtenaw County Clerk, Manchester, Saline and Clinton Libraries on February 25, 1991.

Karen Weidmayer,
Township Clerk