

POWELL TOWNSHIP  
ORDINANCE #2 DATE ADOPTED October 9, 1972

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**Resolution**  
RESOLUTION TO AMEND MISCELLANEOUS DEBRIS ORDINANCE # 2

WHEREAS,  
The current ordinance is criminal offense. The current ordinance allows 30 days to adhere to regulation. The current ordinance allows one operable unlicensed vehicle per lot. Does not clearly define what one violation consists of. Contains some blithe items.

WHEREAS,  
The need to update said ordinance has become apparent.

WHEREAS,  
The ordinance shall upon amendment shall be as follows. Infraction shall be a civil offense. Time for adhere to regulation shall be 30 with up to two additional 30 day periods possible. The allowance of two operable unlicensed vehicles per lot. One violation is equal to one lot. Adopt a separate blithe ordinance.

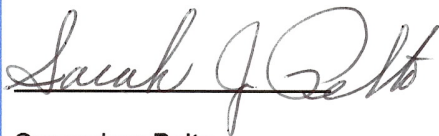
NOW, THEREFORE, BE IT RESOLVED that  
We the Powell Township Board approve the above amendments. To take effect 30 day after the publishing in the Mining Journal.

The foregoing resolution offered by Board Member Trustee Bevins.  
Second offered by Board Member Trustee Gamble.

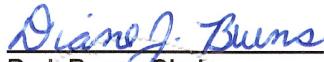
Upon roll call vote the following voted "aye" Bevins/Gamble/Pelto/Burns

"nay": Wilcox

The Supervisor declared the resolution adopted.



Supervisor Pelto



D. J. Burns, Clerk

DATE June 11, 2002

AN ORDINANCE TO PROVIDE FOR THE REMOVAL OF DEAD GRASS, BRUSH, AND MISCELLANEOUS DEBRIS ON LANDS WITHIN THE TOWNSHIP OF POWELL, COUNTY OF MARQUETTE, AND TO PROVIDE FOR THE LEVY AND COLLECTION OF THE COSTS INCURRED WHEREBY WHEN DONE BY SAID TOWNSHIP AS OTHER TAXES ARE LEVIED AND COLLECTED.

THE TOWNSHIP OF POWELL ORDAINS:

ARTICLE I

SHORT TITLE AND DEFINITIONS

Section 1.1 Short Title

This ordinance shall be known as the "Miscellaneous Debris Ordinance."

Section 1.2 Definitions

(A) The Term "person" is used in this ordinance shall mean and include one or more persons of either sex, firms, partnerships, associations, unincorporated voluntary clubs and corporations.

(B) The term "miscellaneous debris" shall be defined to include these things or conditions existing on the property in the Township of Powell which create hazards to the public and/or to children from a health, safety, or fire standpoint, and to also include conditions which by their unsightly appearance can result in depressing the value of other property in the immediate area. The term shall further include, but not be limited to, junk automobiles, that is automobiles that are not in either running condition or licensed by the State of Michigan with a current motor vehicle license plate.

ARTICLE II

REMOVAL OF MISCELLANEOUS DEBRIS

Section 2.1

It shall be the duty of every person who owns any land, occupies any land or leases any land within the Township of Powell, County of Marquette, to maintain the property upon which they reside, have a lease or own in a neat, clean and orderly manner and to remove any miscellaneous debris and conditions which create hazards to persons, and/or children, or cause unsightly conditions, which are to the disadvantage of the citizenry of the Township of Powell or to property owned therein.

## ARTICLE III

### NOTICE

#### Section 3. Notice to Remove

The township clerk or his deputies, on the advice of the township supervisor or on the advice of the township board is hereby authorized and empowered to notify, in writing, the owner or occupant of any such lot, plat or area within the township as the agent of said owner, to clean up and remove any miscellaneous debris found lying or located on such owner's property. Such notice shall be by registered mail, addressed to said occupant, and/or owner or agent of said owner at his last known address, and shall include the intentions of the township if the owner does not remove said condition or conditions, as to removal and shall further indicate the consequences to the property owner should the owner not carry out the removal himself. Said notice shall provide for the removal of said conditions from the property within a specified period of time deemed reasonable by the township clerk, but in no event be less than fifteen (15) days from the date of receipt of said notice by the occupant and/or owner of the premises. For purposes of this ordinance the occupant of the premises shall be deemed the agent of the owner thereof.

## ARTICLE IV

#### Section 4.1 - Action upon Non-compliance.

(A) Should said owner and/or occupant fail to conform with the provisions of this ordinance and the provisions of the notice forwarded to him within the time limit therein it shall be the duty of the township supervisor to cause all of said miscellaneous debris to be removed from said land and said township supervisor shall keep an accurate account of the expenses incurred in so doing with respect to each parcel of land entered upon therefor and shall make a sworn statement of said account and deliver the same to the township clerk. The township clerk shall present all such accounts to the township board not later than thirty (30) days after receipt thereof and shall serve by first class mail a copy thereof upon the owner and/or occupant of the premises. Upon receipt of the account the township board shall audit said account, and, if correct, allow such account and order the same paid from the general fund of the township. The sworn statement of the township supervisor shall give the date or dates when such miscellaneous debris was removed, the name and last known address of the owner and description of the lands involved, and the costs of such labor.

(B) When such accounts shall be audited, allowed and paid as above provided, it shall be the duty of the township clerk to certify them forthwith to the township assessor. All expenditures represented by said accounts shall be severally spread upon the township tax roll next in preparation, levied on the lands on which

such expenditures were made, be a lien and collected in the same manner as other township taxes and paid into the general fund of said township.

(C) In carrying out the above functions the township supervisor may do so either in person or by means of employing an independent contractor. Said independent contractor shall not be an employee of the township, but he shall be authorized by order of the township supervisor to remove the debris from the premises described in the notice to the owner referred to above.

#### ARTICLE V

#### REPEALER AND EFFECTIVE DATE

##### Section 5.1 - Repealer

(A) All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

##### Section 5.2 - Effective Date

(A) This ordinance shall take effect on OCT day of 4 1972.