

Lake Township

AGENDA

September 21, 2020

* * *

7:30 P.M.

Due to the COVID-19 crisis and Gov. Whitmer's Executive Orders, the Lake Township Board's regular meeting will be held via telephone conference through GoToMeeting.

Lake Township Board of Trustees meeting
Mon, Sep 21, 2020 7:00 PM - 9:00 PM (EDT)
Please join our meeting from your computer, tablet or smartphone.

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Call to Order

Roll Call

Approval of Meeting Agenda

Approval of August 17, 2020 meeting minutes

Reports from Township Officials

- Supervisor
- Treasurer
- Clerk
- Trustees
- Zoning Administrator

Correspondence

- ✕• **CAFPA Minutes**
- ✕• **Zoning Administrator's Report**
- ✕• **Building Inspector's Report**
 - EGLE Public Notice – Happy Times Cottages, Section 15 – Seawall – Comments until Sept 24, 2020
 - EGLE Permits
 - 4130 Port Austin Road – Seawall
 - 5122 Port Austin Road – Riprap
 - August 27, 2020 letter from Comcast re. Xfinity TV changes

Public Comments

Old Business:

- Transfer Station
- Roads – Crack Seal

New Business:

- 2019-20 Audit
- Millage Levy Resolution
- Blight Ordinances
 - Junk Control Ordinance
 - Dangerous & Dilapidated Buildings Ordinance
 - Junk & Inoperable Vehicle Ordinance

Payment of Bills

Public Comments

Adjournment

Next Meeting – October 19, 2020 – 7:30 P.M.

**Lake Township, Huron County
Board of Trustees Meeting
4988 W. Kinde Rd., Caseville, MI.
August 17, 2020**

Due to Covid 19 pandemic, meeting was held via teleconference.

Call to Order: Meeting was called to order at 7:32 P.M.

Roll Call: Present – Valerie McCallum, Clay Kelterborn, Nicole Collins, Dale Hartsell, Jim Deming. There were four members of the public attending.

Approval of agenda: Motion by Hartsell, supported by Kelterborn to approve agenda. All in favor, motion carried.

Approval of Board of Trustee minutes from July 20, 2020: Motion by Hartsell, supported by Kelterborn to approve minutes as presented. All in favor, motion carried.

Approval of Board of Trustee/ Planning Commission Joint meeting minutes from July 22 & 29, 2020: Motion by Kelterborn, supported by Collins to approve minutes as presented. All in favor, motion carried.

Reports from Township Officials

Supervisor- Lake Road Easement Case – Original Plaintiff has filed claim with Court of Appeals. No date set for review by Court.

Treasurer- Submitted

Clerk – Due to issues involving the postal service, our office encourages the Absentee Voters to submit their ballot either in person or utilize the drop box located in the south vestibule of the Township Hall located at 4988 W. Kinde Rd, Caseville, MI. A notice of the same will be placed on the township website.

Trustees – Nothing to report

Zoning Administrator- Due to an increase in real estate activity and above average number of visitors to the township this summer, zoning questions and complaints have increased substantially. Because people are spending more time here due to the pandemic, building projects have also increased. This has been unusually difficult to manage on a timely basis, although now the administrator feels he is closer to meeting the demand. A typical autumn surge in building activity may further complicate issue resolution.

Rentals also have become a larger issue, due to blight or incorrect usage. Short and long term rentals present different issues. Long term issues are typically blight related whereas short term rental complaints are typically usage and occupancy.

Correspondence

CAFPA – Submitted

Zoning Administrator report– Submitted

Building Inspector – Submitted

Letter dated July 17 from Jan Golitko, Steven’s Subdivision – Letter addresses concerns over short term rentals and is being addressed by Zoning Administrator

EGLE Permits – Two received for seawall installation/repair

Petitions/Public Comments – The issue of shooting (Target Practice) in a residential area was presented. The resident inquires as to whether the township had an ordinance against this practice. Shooting is regulated by the State. The Township is not allowed to adopt an ordinance more restrictive than the State Law. The Board will investigate options further.

A second resident thanked the Supervisor and Zoning Administrator for their work in resolving a past blight issue.

It was asked whether a map identifying the easements in the Township could be published on the website for residents to review. A large map is at the township hall. The option for a user friendly map on the website is being pursued.

Old Business - The Preparedness & Response Plan for Reopening the Township Office was due to expire on August 17, 2020. A motion was made by Deming, supported by Collins to extend the Plan until October 19, 2020 Board meeting and to review at that time. All in favor, motion carried. It was emphasized that, although Township Hall access is currently restricted, all township officials are available by phone, email or by appointment if necessary.

Transfer Station – Recycling – The demand for recycling is higher this year and Emterra has no additional recycling containers available. Residents using the recycling are reminded to remove the materials from bags and to be sure that cardboard boxes are broken down to save space in the containers. Non-recyclable items are also being found in the recycle containers.

Options discussed to alleviate the issues were paying extra help to monitor the recycling or charging a user based fee to use the recycling. Due to limited state funding, hiring extra help is not feasible at this time. A modified configuration of the facilities was discussed to allow the attendant to better monitor the operation.

A motion was made by Kelterborn, supported by Hartsell to table the discussion of proposed concrete work for the compactor until the September Board meeting. All in favor, motion carried.

New Business – Due to the ongoing pandemic, the Caseville Schools have informed the City of Caseville the school will not be available for the November General Election. The City Council proposed using the Fire Hall for the election and upcoming meetings. The Caseville Township and the CAFPA Board agreed to this plan. A motion was made by Hartsell, supported by Collins

to support the city to using the Fire Hall for meetings until the Covid pandemic is over and for elections until the new Caseville Township Hall is completed. All in favor, motion carried.

Blight Ordinance – The current Blight Ordinance was adopted in 1974. The Property Maintenance Ordinance was also discussed as being awkward to enforce in its current form. It has been suggested the Township adopt a Dangerous and Dilapidated Building Ordinance and also a Junk Ordinance. This would give the Zoning Administrator better tools for enforcement. A motion was made by Kelterborn, supported by Hartsell to have updated versions of these General Ordinances drafted. All in favor, motion carried.

Ad Hoc Committee for Rentals –A motion was made by Kelterborn, supported by Hartsell to compile a list of interested parties for the establishment of an ad hoc committee to oversee drafting an Ordinance for rentals, both long and short term. This committee would include a cross section of township residents appointed by the Board. All in favor, motion carried.

Payment of Bills – Motion by Hartsell, supported by Kelterborn to pay bills. All in favor, motion carried.

Public Comments – It was suggested recycling be limited to the weekends and a comprehensive list of qualifying addresses within the township be used by transfer station attendant to monitor facility usage.

Adjournment – Motion by Hartsell, supported by Kelterborn to adjourn. All in favor, motion carried.

Meeting adjourned at 8:36 P.M.

Respectfully Submitted

James Deming, Clerk

DRAFT
(September 8, 2020)

**TOWNSHIP OF LAKE
COUNTY OF HURON
STATE OF MICHIGAN
(Ordinance No. _____)**

Ordinance No. _____
Adopted: _____, 2020 Effective: _____, 2020

JUNK CONTROL ORDINANCE

At a regular meeting of the Township Board for the Township of Lake, Huron County, Michigan, held in the Lake Township offices, within the Township, on the ____ day of _____, 2020, at __ p.m.

PRESENT: Members: _____

ABSENT: Members: _____

THE TOWNSHIP OF LAKE, HURON COUNTY, MICHIGAN (“Township”) ORDAINS:

Section 1. Findings and Purpose. The Township Board of the Township of Lake hereby finds that it is essential and necessary to the health, safety, well-being, and welfare of the residents of the Township and the well-being of the personal and real property located within the Township that the Township adopt this Ordinance, and that the disposal and accumulation of solid and liquid waste, junk, refuse, trash, and discarded items shall occur only in a sanitary, orderly, and safe fashion. In the past, junk, waste, refuse, trash, and hazardous materials may have been improperly dumped, buried, or disposed of within the Township, which may have caused irreparable harm to property and natural resources within the Township, including but not limited to, lakes, streams, soils, groundwater, watersheds, and sensitive wetlands, all of which are essential to the health and economic well-being of the community. The Township Board further finds that the improper disposal of such materials impairs property values and poses a real and substantial risk to the health and safety of persons, pets, farm animals, and wildlife within the Township.

This Ordinance is not intended to interfere with lawful farming and generally accepted farm operations or practices that comply with the Michigan Right to Farm Act. Nor shall this Ordinance be deemed to prohibit or interfere with the otherwise lawful storing or spreading of manure, fertilizers, herbicides, or other soil conditioners as part of a farm operation.

Section 2. Authorization. This Ordinance is authorized and enacted pursuant to MCL 41.181 *et seq.*, Article 4, Section 52 of the Michigan Constitution of 1963 and other applicable laws.

Section 3. Prohibited Acts. Unless otherwise expressly permitted by Section 4 of this Ordinance, it shall be unlawful for any person, entity, corporation, association, firm, limited

liability company, or other organization to do or permit any of the following (or to assist in doing any of the following) within Lake Township:

- (A) Operate an unlicensed or unlawful dump, landfill, or sanitary landfill.
- (B) Utilize, bury or dispose of any item at an unlicensed or illegal landfill or disposal site knowing the same to be unlicensed or illegal.
- (C) Pour, inject, drain, dump, abandon, bury, or dispose of any discarded liquid which may be hazardous, toxic, nuclear, poisonous, putrid, dangerous, or biologically harmful into, below, within, or onto the ground, substrata, a road, or any soil, lake, stream, pond, or wetland or to accumulate or store such discarded liquids outdoors. For purposes of this subsection (C), the words hazardous, toxic, nuclear, poison, putrid, dangerous, or biologically harmful shall be as defined by any federal or Michigan law. This prohibition shall include, but not be limited to, gasoline, oil, cleaning fluid, heating oil, industrial or commercial waste, medical waste, paint waste, processed food byproducts or waste, flammable liquid, or liquid industrial by-products.
- (D) Deposit, dump, drain, or cause to be drained, any harmful or hazardous liquid, sewage, or industrial waste substance from any sink, tank, motor vehicle, or any other thing, onto the surface of any land or into any open ditch, lake, stream, pond, or wetland, or into any pipe or conduit which directly or indirectly empties or deposits any such substance onto the surface of any land or into any open ditch, lake, creek, wetland, or stream.
- (E) Place, throw, bury, dump, abandon, store, or accumulate outdoors any empty or partially filled cans, food containers, broken or whole bottles, trash, rubbish, garbage, litter, junk, rags, used or broken glass, mobile homes not meeting township ordinance requirements, debris, used tires, used tanks, discarded or scrap plastic, waste, boxes, barrels, scrap metal, cardboard, inoperable or partially assembled equipment or machinery, scrap rubber, crockery or utensils of any kind, automobile or vehicle bodies or parts of automobiles or vehicles (except in a duly licensed junk yard), old stoves or appliances, furniture, parts of machinery, contaminated soil, illegal pesticide, illegal fertilizer, refuse, scrap styrofoam, paper, broken pallets, cloth, batteries, mattresses or bed springs, flammable matter or substances, offal, medical waste, industrial byproducts or waste substances, or objects of a similar nature, upon, under, or on any land in the Township, or to permit any such things or substances to accumulate on land or water over which the person permitting the same occupies, owns, leases, or has control.
- (F) Allow the accumulation of materials which provide rat harborage or which may serve as food for rats or is accessible to such rodents or in or around which flies, insects, rodents, or vermin may exist, breed, or multiply, or to suffer or permit upon any premises stagnant or filthy water deemed a health hazard by the Huron County Health Department (excluding natural wetlands), dead animals or unwholesome meat, or any other unwholesome, filthy, deleterious, or offensive thing or substance.
- (G) Litter on any property or roadway within the Township.
- (H) Accumulate, place, store, or allow or permit the accumulation, placement, or storage of trash or junk outdoors on any property within Lake Township, except in a lawful

sanitary landfill, a lawful junk yard, or not to exceed eight (8) days' storage in watertight storage receptacles designed for the temporary accumulation of trash.

Section 4. Exceptions to this Ordinance. The following activities shall not be subject to the requirements of Section 3 of this Ordinance:

(A) The lawful disposal of materials or items into or within a lawful sanitary landfill, hazardous materials landfill, or facility or incinerator properly licensed by the state of Michigan.

(B) The lawful disposal of materials or items into or within a lawful waste disposal site which has been expressly approved or authorized by the Township under its zoning ordinance or other ordinances.

(C) The otherwise lawful storage, use, and application of lawful fertilizers (excluding human waste), herbicides, and insecticides pursuant to agricultural, landscaping, lake weed control, or horticultural uses.

(D) The accumulation or spreading of animal (non-human) manure for agricultural purposes.

(E) The composting of plant, vegetative, or crop matter.

(F) Winter treatment of roads, sidewalks, steps, and other ways for snow and ice removal.

(G) The lawful storage of automobile or vehicle bodies or parts at a lawful and approved junk yard.

(H) Lawfully and properly maintained feed, chemical, fertilizer, fuel, or liquid storage tanks, whether above or below ground, including the contents thereof.

(I) The outdoor storage of bona fide farm equipment, farm implements and farm vehicles, if being used for active ongoing farm operations and if in compliance with any and all other applicable Lake Township ordinances and also in compliance with the Michigan Right to Farm Act.

(J) The lawful disposal of human and conventional household waste pursuant to a lawful municipal or underground septic disposal system, or as otherwise expressly allowed pursuant to any applicable ordinance or by law.

(K) Notwithstanding any provision of this Ordinance, the following items may be buried or disposed of within the Township:

(1) Clean fill.

(2) Crops, natural compost or vegetative items.

(3) Rocks or untreated wood.

- (4) Cables, conduits, pipes and tubes which are being utilized for utilities, drainage or irrigation purposes.
- (5) Cement.
- (6) Basements, shelters, foundations, lawful structures and nontoxic pilings or anchors.
- (7) Conventional firewood.
- (8) Cemetery uses and burial of pets.
- (9) Approved and lawful underground storage tanks.
- (10) Burying of dead farm animals if buried on land comprising the farm where the animals were from.
- (11) Approved, lawful underground septic systems.
- (12) Burying of any road killed animal at or near the site killed.
- (13) Disposal of game or fish remnants by the hunter or fisherperson involved if the game was lawfully killed.

Section 5. Violation; Penalty, Remedies and Enforcement. A violation of this Ordinance constitutes a municipal civil infraction. Any person who violates, disobeys, omits, neglects, or refuses to comply with any provision of this Ordinance, or any amendment thereof, or any person who knowingly or intentionally aids or abets another person in violation of this Ordinance, shall be in violation of this Ordinance and shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than one hundred dollars (\$100.00) for the first offense and not less than two hundred dollars (\$200.00) for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within twelve (12) months of a previous violation of the same provision of this Ordinance or similar provision of this Ordinance for which said person admitted responsibility or was adjudged to be responsible. Each day during which any violation continues shall be deemed a separate offense.

Section 6. Other Persons Who May Be Liable. The prohibitions and penalties of this Ordinance shall apply not only to any person, firm, entity, corporation or association which does anything prohibited by this Ordinance and those who aide and abet such acts, but also to any owner, co-owner, lessee, tenant, licensee, part-owner, occupant or person, firm, corporation, or entity owning or having control of any premises or property from, through, or onto which any such prohibited items, materials, or substances are drained, buried, dumped, abandoned, stored, or accumulated and who permits or acquiesces in such actions or Ordinance violations.

Section 7. Additional Remedies. In addition to the above remedies, the Township or any person may institute a civil lawsuit to abate any violation of this Ordinance. Any violation of this Ordinance is a nuisance *per se*.

Section 8. Severability. The sections and portions of this Ordinance shall be deemed severable. Should any section, clause or provision of this Ordinance ever be declared to be invalid, in whole or in part, the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the section, clause, sentence, or provision declared to be invalid.

Section 9. Effective Date. This Ordinance shall take effect upon the expiration of thirty (30) days after this Ordinance or a summary thereof is published in the newspaper as provided by law.

The above Ordinance was offered for adoption by Township Board Member _____, and was seconded by Township Board Member _____, the vote being as follows:

YEAS: _____

NAYS: _____

ABSTAIN/ABSENT: _____

ORDINANCE DECLARED ADOPTED

CERTIFICATION

The above Ordinance was adopted by the Lake Township Board at a regular meeting held on _____, 2020, at the Lake Township offices pursuant to the required statutory procedures.

Respectfully submitted by:

James Deming
Lake Township Clerk

DRAFT
(September 8, 2020)

**DANGEROUS AND DILAPIDATED BUILDINGS ORDINANCE
(ORDINANCE NO. _____)**

At a regular meeting of the Township Board for Lake Township held at the Township offices on _____, 2020 at ___ p.m., the following Ordinance was offered for adoption by Township Board Member _____ and was seconded by Township Board Member _____:

AN ORDINANCE TO PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF LAKE TOWNSHIP (“TOWNSHIP”), HURON COUNTY, MICHIGAN, BY REGULATING THE MAINTENANCE AND SAFETY OF CERTAIN BUILDINGS AND STRUCTURES; TO DEFINE THE TYPES OF BUILDINGS AND STRUCTURES REGULATED BY THIS ORDINANCE; TO ESTABLISH PROCEDURES FOR THE MAINTENANCE OR DEMOLITION OF CERTAIN BUILDINGS AND STRUCTURES; TO ESTABLISH REMEDIES, PROVIDE FOR ENFORCEMENT, AND FIX PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

THE TOWNSHIP OF LAKE (“Township”) ORDAINS:

**SECTION I
TITLE**

This Ordinance shall be known and cited as the “Lake Township Dangerous and Dilapidated Buildings Ordinance.”

**SECTION II
PURPOSE**

The purpose of this Ordinance is to regulate and prohibit the existence of dangerous and/or dilapidated buildings within Lake Township. Furthermore, it is the intent and purpose of this Ordinance to promote the health, safety, and welfare of the people of Lake Township by regulating the maintenance, repair, alteration, health, safety, and improvement of buildings and structures and to establish remedies and provisions for the enforcement of this Ordinance.

**SECTION III
DEFINITIONS OF TERMS**

As used in this ordinance, including in this section, the following words and terms shall have the meanings stated herein:

A. "Dangerous building" means any building or structure, residential or otherwise, that has one or more of the following defects or conditions or is in one or more of the following conditions:

1. A door, aisle, passageway, stairway or other means of exit does not work or conform to the Township or State Fire Code or Building Code.

2. A portion of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the Housing Law of the state of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Section 125.401 *et seq.* of the Michigan Compiled Laws, or the Township or State Building Code for a new building or structure, purpose or location.

3. A part of the building or structure is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.

4. A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind or the elements than is required in the case of new construction by the Housing Law of the state of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Section 125.401 *et seq.* of the Michigan Compiled Laws, or the Township or State Building Code.

5. The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, fire damage, faulty construction, or the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

6. The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used or intended to be used.

7. The building or structure is damaged by fire, ice, rain, wind or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.

8. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, which because of dilapidation, decay, unfinished condition, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that a Township official or the health officer of the Township or Huron County determines is likely to cause sickness or disease, or is likely to injure the health, safety or general welfare of people living in the dwelling.

9. A building or structure is vacant, dilapidated and open at the door, wall, roof, or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

10. Any portion of a building or structure is open to the elements, whether such opening occurs due to a broken, missing, or dilapidated door, wall, roof, window or other structural or exterior component of the building.

11. The exterior paint, vinyl or aluminum siding, brick, wood, or other exterior component of a building or structure is in such disrepair, a dilapidated fashion, or such poor condition that the exterior building materials of the building or structure involved are directly exposed to the elements, insects, mold, or fungus.

12. A deck, porch, walkway, or similar structure or item attached to a building or structure is unreasonably slippery and is likely to cause a person to slip or fall due to moss, deterioration, slimy or slippery material, or similar slippery condition.

13. A building is unfinished, open to the elements and/or the building permit has lapsed or expired.

14. A mobile home or trailer is involved that is dilapidated, unsafe, rundown or unhealthy.

B. "Enforcing agency" means Lake Township, through the Township or State Building Official, Zoning Administrator, Zoning Enforcement Officer, and/or such other official(s) or agency as may be designated by the Township Board to enforce this Ordinance.

C. "Township Building Code" or "State Building Code" means the building code administered and enforced in the Township pursuant to the State Construction Code Commission Act, Act No. 230 of the Public Acts of 1972, as amended, being Section 125.1501 *et seq.* of the Michigan Compiled Laws, or adopted pursuant to any other state law.

SECTION IV **PROHIBITION OF DANGEROUS BUILDINGS**

It shall be unlawful for any owner or agent thereof to keep, possess, control, own, or maintain any building or part thereof which is a dangerous building as defined in this Ordinance.

SECTION V **PENALTIES FOR VIOLATION OF THIS ORDINANCE**

A. A violation of this Ordinance constitutes a municipal civil infraction. Any person who violates, disobeys, omits, neglects, or refuses to comply with any provision of this Ordinance, or any amendment thereof, or any person who knowingly or intentionally aids or abets another person in violation of this Ordinance, shall be in violation of this Ordinance and shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than one hundred dollars (\$100.00) for the first offense and not less than two hundred dollars (\$200.00) for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within twelve (12) months of a previous violation of the same provision of this Ordinance or similar provision of this Ordinance for which said person admitted responsibility or

was adjudged to be responsible. Each day during which any violation continues shall be deemed a separate offense.

B. This Ordinance applies to the property at issue in a particular circumstance. For purposes of being found responsible for a violation of this Ordinance (and for being subject to and bound by any penalties and court orders for violation of this Ordinance), the word "owner" shall include not only the person, partnership, corporation, or other entity shown as the owner of the land as evidenced with the relevant real estate document recorded with the Huron County Register of Deeds records, but in addition, shall also include any owner or co-owner of the property (whether or not shown of record with the Huron County Register of Deeds records), and where a land contract is involved, shall apply to both the record owner of the property as well as the person or persons purchasing the property on land contract. Anyone who assists another in violating this Ordinance, or who aids and abets another in violation of this Ordinance, shall also be deemed to be in violation of this Ordinance.

C. In addition to the other remedies mentioned above, upon a finding of responsibility for a civil infraction, the Court may also issue an order requiring that the property or building involved either be brought into full compliance with this Ordinance (as well as the Township Building Code and any other applicable ordinances or codes) or alternately, that the owner of the property completely demolish or remove the building or structure involved within a reasonable period of time. Such a court order may also provide that if demolition and/or removal of a building or structure is ordered (or some other action is required to be taken by the property owner) and the property owner does not fully comply with the order, the Township shall be authorized to enter the property involved and remove or fully repair the dwelling or structure involved (or bring the property into full compliance with the court order) and that the Township shall be fully reimbursed for all of its costs and expenses, with the same being secured by a lien on the property.

D. In addition to the above-mentioned remedies, the Township is also authorized (at its option and discretion) to pursue a civil lawsuit to enforce and/or ensure compliance with this Ordinance in the Huron County Circuit Court.

E. This Ordinance may be enforced by the Township Zoning Administrator, the Township or State Building Inspector, the Township Zoning Enforcement Officer, and such other Township official or agent as the Township Board may designate from time to time by resolution.

F. Any violation of the Ordinance is also a nuisance *per se*.

SECTION VI **EXEMPTION FOR BONA FIDE FARM BUILDINGS**

This Ordinance shall not apply to any nondwelling building which is actively and regularly used or maintained in conjunction with a *bona fide* ongoing farming operation protected by the Michigan Right to Farm Act.

SECTION VII
SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION VIII
EFFECTIVE DATE

This Ordinance shall take effect upon the expiration of thirty (30) days after publication as required by law.

The vote to adopt the above Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an ordinance adopted by the Lake Township Board at the time, place and date as specified above, pursuant to the required statutory procedures.

Respectfully submitted,

By _____
James Deming
Lake Township Clerk

**LAKE TOWNSHIP
HURON COUNTY, MICHIGAN
(Ordinance No. _____)**

At a regular meeting of the Township Board for Lake Township held on _____, 2020 at 7:00 p.m. at the Township offices, the following Ordinance was offered for adoption by Township Board Member _____ and was seconded by Township Board Member _____:

**AN ORDINANCE TO REGULATE JUNK AND INOPERABLE VEHICLES
AND MOTOR VEHICLES AND CERTAIN VEHICLE SALES; AND TO
PROVIDE PENALTIES FOR THE VIOLATION OF SUCH
REGULATIONS.**

THE TOWNSHIP OF LAKE (“Township”) ORDAINS:

Section 1. Short Title.

This Ordinance shall be known and may be cited and referred to as the “Lake Township Junk and Inoperable Vehicle Ordinance,” and shall hereinafter be referred to as the “Ordinance.”

Section 2. Purpose and Intent.

A. This Ordinance is intended to protect the health, safety and general welfare of the residents, property owners, inhabitants and citizens within the Township of Lake, to protect property values within the Township, to enhance the scenic beauty of the Township and its neighborhoods, to provide an aesthetically pleasing environment in which to live and work by regulating the outdoor storage of motor vehicles, and to provide for penalties for the violation thereof.

B. Lake Township does hereby find that the improper placement, storing and accumulation of motor vehicles outdoors is a public nuisance; constitutes an attractive nuisance

to children and endangers their safety; decreases property values due to their poor aesthetic nature; interferes with the scenic beauty of the Township; provides harborage for rodents and vermin; contaminates the soil and water by chemical and hydrocarbon drainage; promotes vandalism; and creates or enhances fire hazards.

Section 3. Definitions.

For the purposes of this Ordinance, the following terms shall have the following meanings:

(a) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, excepting devices moved by human power or used exclusively upon rails or tracks.

(b) “Motor vehicle” means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(c) “Inoperable vehicle” or “inoperable motor vehicle” means any vehicle or motor vehicle which cannot be started or legally or physically operated on public streets or highways by virtue of lacking the equipment required by the laws of the State of Michigan or which does not bear valid and current license plates.

(d) “Junk vehicle” or “junk motor vehicle” means a vehicle or motor vehicle which has been so damaged or dismantled as to be a total loss. These terms shall also include all parts or accessories of vehicles or motor vehicles without which vehicles or motor vehicles cannot be operated in a safe manner on streets or public highways.

(e) “Total loss” means where the cost to fully repair a damaged or dismantled vehicle or motor vehicle exceeds the fair market value for such vehicle. Fair market value may be determined by using any nationally-recognized appraisal book or method.

Section 4. Prohibition on Vehicles Over a Certain Number on a Property.

No person, firm, entity, or corporation shall accumulate, store, place, or permit the accumulation, storage, or placement outdoors of more than four (4) motor vehicles on a lot or parcel which can be physically and legally operated on the public roads for more than seven (7) days during any thirty (30) day time period unless such motor vehicles are within a completely enclosed building or the motor vehicle is being used and is necessary in the operation of any lawful business conducted on the lot or parcel in full compliance with the Lake Township Zoning Ordinance. In the event that more than four (4) licensed drivers reside on the lot or parcel, the number of motor vehicles may be increased to equal the number of licensed drivers residing permanently on such parcel or lot, in which case all such licensed drivers shall provide the Township Clerk with proof of such permanent residence and a copy of a valid driver's license for all drivers residing on such a lot or parcel.

Section 5. Keeping or Storage of Inoperable or Junk Vehicles or Motor Vehicles.

No person, firm, entity, or corporation shall accumulate, store, place, or permit the accumulation, storage, or placement of any inoperable or junk vehicle or motor vehicle in Lake Township for more than 48 hours during any calendar year on a lot or parcel, unless such inoperable or junk vehicle or motor vehicle is stored in a fully-enclosed lawful garage or other building.

Section 6. Nuisance.

The presence of an inoperable vehicle, junk vehicle or motor vehicle in violation of this Ordinance is hereby declared to be a public nuisance *per se*.

Section 7. Prima Facie Evidence.

The ownership, lease, occupation, or use of land by any person, entity, firm, or corporation upon which an inoperable or junk vehicle or motor vehicle is accumulated, stored, or placed outdoors shall be *prima facie* evidence that such person, firm, entity, or corporation accumulated, stored, or placed such inoperable or junk vehicle or motor vehicle upon such land, or permitted such inoperable or junk vehicle or motor vehicle to be accumulated, stored, or placed upon such land.

Section 8. Vehicle and Item Sales.

No automobile, truck, vehicle, snowmobile, farm and/or garden implement or vehicle, recreational vehicle, trailer, snowmobile, appliance or similar item shall be parked, stored, or kept on any property with any sign, banner, or device indicating that such item is for sale, rent or lease for more than 45 days per calendar year. If such item is still displayed for sale 45 days or more after the Township (or its designated official) sends the property owner a letter indicating that there may be a violation of this Section 8, a rebuttable presumption shall arise that such item has been displayed for sale, rent, or lease for more than 45 days in violation of this section. This Section 8 prohibition shall not apply where neither the item nor the signage is visible from a public road right-of-way or any adjoining property. Nor shall the prohibitions in this Section 8 apply to a lawful commercial vehicle or implement sales business which complies with the Lake Township Zoning Ordinance, as amended, and is otherwise lawful.

Section 9. Violation: Penalty, Remedies and Enforcement.

A violation of this Ordinance constitutes a municipal civil infraction. Any person who violates, disobeys, omits, neglects, or refuses to comply with any provision of this Ordinance, or any amendment thereof, or any person who knowingly or intentionally aids or abets another person in violation of this Ordinance, shall be in violation of this Ordinance and shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than \$100 for the first

offense and not less than \$200 for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, “subsequent offense” means a violation of the provisions of this Ordinance committed by the same person within 12 months of a previous violation of the same provision of this Ordinance or similar provision of this Ordinance for which said person admitted responsibility or was adjudged to be responsible. Each day during which any violation continues shall be deemed a separate offense.

Section 10. Severability.

In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

Section 11. Effective Date.

The provisions of this Ordinance shall take effect upon the expiration of 30 days from the date of publication of the ordinance or a summary of its provisions in accordance with the law.

The vote to approve and adopt this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Lake Township Board at the time, date, and place as specified above pursuant to the required statutory procedures.

Respectfully submitted,

By _____
James Deming
Lake Township Clerk

LAKE TOWNSHIP MONTHLY PAYABLES

August 18 through September 21, 2020

Num	Name	Memo	Class	Paid Amount
Aug 18 - Sep 21, 20				
14607	DTE Energy	due: 9/18/2020	GENERAL FUND	72.43
14608	Frontier	due: 9/14/2020	GENERAL FUND	85.83
14609	A-Johnson Portable Toilets	August Rental	GENERAL FUND	80.00
14610	Independent Bank - Cardmember S...	GoToMeeting Subscription for August 19/2020 - April 7/...	GENERAL FUND	121.30
14611	Caseville True Value	2 Propane refills, piping for gas	GENERAL FUND	65.34
14612	Cass City Propane	15 Gallons Propane in new tankset at Transfer Station	GENERAL FUND	19.49
14613	Detroit Edison - Street Lighting	Street Lighting 8/1/2020 - 8/31/2020	GENERAL FUND	44.28
14614	Election Source	Voting Equipment Testing for August Primary	GENERAL FUND	443.50
14615	Huron Tile & Service Inc	Gas for Compactor	GENERAL FUND	13.50
14616	International Code Council, Inc.	Governmental member dues	GENERAL FUND	145.00
14617	Michigan Election Resources	Secrecy Sleeves, AV Ballot Instructions	GENERAL FUND	116.86
14618	Shay Water Co	Cooler rental - August	GENERAL FUND	11.00
14619	Thumb Office Supply	Pens	GENERAL FUND	43.99
14619	Thumb Office Supply	Post it pads	GENERAL FUND	16.71
14620	McCallum, Valerie J	Face Shields for election workers	GENERAL FUND	52.95
14621	Huron County Treasurer	Tax Database, EQ Processing	GENERAL FUND	462.06
14621	Huron County Treasurer	Annual Assessment process for 1942 units	GENERAL FUND	2,913.00
14622	Maryanne Williams	9 trips to Post Office	GENERAL FUND	27.00
14622	Maryanne Williams	Trip to Huron County Clerk	GENERAL FUND	18.50
14622	Maryanne Williams	Registered Letter	GENERAL FUND	6.95
14623	Eterra Environmental	40 yd Dumpster X 3	GENERAL FUND	1,794.00
14623	Eterra Environmental	40 yd Dumpster Fuel Surcharge X 3	GENERAL FUND	89.70
14623	Eterra Environmental	On Call recycling Dumps X 2	GENERAL FUND	130.00
14623	Eterra Environmental	8 Yd Service for September 2020	GENERAL FUND	178.50
14623	Eterra Environmental	8 Yd fuel surcharge	GENERAL FUND	15.43
14624	Deming, James G	6 trips to P.O.	GENERAL FUND	18.00
14624	Deming, James G	PPE for Election workers	GENERAL FUND	17.98
14624	Deming, James G	Pipe and Fittings	GENERAL FUND	47.31
14624	Deming, James G	Keybox for Office	GENERAL FUND	24.15
14624	Deming, James G	2 X Certified Letters Postage	GENERAL FUND	13.90
14624	Deming, James G	Mask requirement Sign for Gate	GENERAL FUND	10.59
14624	Deming, James G	WinZip Program for E Pollbook	GENERAL FUND	31.75
14624	Deming, James G	Trip to Saginaw for Audit records	GENERAL FUND	70.00
14626	Stanton, Sheri	Notary Filing Fees, State and County	GENERAL FUND	20.00
14627	Berthiaume & Company	2019-2020 lake township Audit	GENERAL FUND	5,150.00
14643	Bay Area Heating & Cooling	Furnace Repair	GENERAL FUND	80.00
14644	Paul Santhany	Complete cutting: 8/14,21,29; 9/4,11, 2020	GENERAL FUND	425.00
Aug 18 - Sep 21, 20				12,876.00

**LAKE TOWNSHIP
Paycheck Detail**

August 18 through September 21, 2020

<u>Date</u>	<u>Name</u>	<u>Num</u>	<u>Pay Period Begin Date</u>	<u>Pay Period End Date</u>	<u>Account</u>	<u>Amount</u>
Aug 18 - Sep 21, 20						
09/16/2020	Clinton, Lisa D.	14629	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-1,647.12
09/16/2020	Collins, Nicole R	14630	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-1,331.42
09/16/2020	Deming, James G	14631	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-1,273.31
09/16/2020	Ferris, David F	14632	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-1,100.73
09/16/2020	Geilhart, Tory J	14633	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-1,805.94
09/16/2020	Gingrich, Joel	14634	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-40.31
09/16/2020	Hartsell, Dale J	14635	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-192.41
09/16/2020	Kelterborn, Clay	14636	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-192.40
09/16/2020	Lalley, Timothy J	14637	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-66.07
09/16/2020	McCallum, Valerie J	14638	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-932.62
09/16/2020	Pobanz {ZBA}, Gerald	14639	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-69.27
09/16/2020	Siver {BOR}, Robert	14640	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-69.26
09/16/2020	Stanton, Sheri	14641	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-875.06
09/16/2020	Williams {Deputy Cler...	14642	08/18/2020	09/21/2020	001.01 · Cash - Chec...	-429.10
						-10,025.02
Aug 18 - Sep 21, 20						