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VILLAGE OF CUSTER
COUNTY OF MASON, MICHIGAN

At a REGULAR meeting of the Village Council of the Village of Custer, held at the Village Hall in Custer, Michigan, on the 3rd day of AUGUST, 1993, at 8:00 p.m.

Present: MIKULSKIS, SANDERS, HOWE, BACON, BAKER

Absent: REENE

The following ordinance was offered by SANDERS and supported by MIKULSKIS.

ORDINANCE NO. 93-112

AN ORDINANCE TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS, OR CAUSES OF BLIGHT, WITHIN THE VILLAGE OF CUSTER, MASON COUNTY, MICHIGAN, AND TO SECURE THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE BY PROHIBITING THE ACCUMULATION OF UNWHOLESOME SUBSTANCES ON PROPERTY OTHER THAN IN PROPERLY DESIGNATED SANITARY LANDFILLS OR LICENSED JUNKYARDS, AND TO PROVIDE PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

THE VILLAGE OF CUSTER ORDAINS:

Section 1. Definitions.

(a) Unwholesome substance is defined to mean any trash, garbage, junk, rubbish, debris, scrap metal, fixtures, junked or discarded machinery, parts of motor vehicles, accessories to motor vehicles, tools, pipes, used articles, used pieces of iron, used lumber, ashes, food containers, boxes, barrels, industrial by-products or waste, household appliances, filth, human or animal waste, offal, trailer bodies, automobile bodies, tin cans, glass bottles or any articles customarily considered trash, junk or unwholesome substances, and which are not housed in a building.

(b) Automobile body is defined to mean any motor vehicle or part thereof which:

- (1) is not able to be driven on the highway under its own power; and/or
- (2) lacks all necessary components or mechanical parts to make it operative and/or serviceable and/or licensed as a motor vehicle.

(c) Trailer body is defined to mean any boat, horse, or other animal, utility, travel, truck, or any other type of trailer or device used for the moving or hauling of things, which lacks one or more of the necessary components or mechanical parts to make it operable and serviceable as a trailer to be pulled or towed on the public highways.

(d) Person as used herein shall include any person, firm or corporation.

Section 2. Accumulation or Placing of Unwholesome Substances.

No unwholesome substance, as defined herein, shall be deposited, accumulated, placed or dumped, or allowed to remain deposited, accumulated, placed or dumped, by any person, on any property in the Village of Custer unless such property has been duly designated as a public dumping ground by the Village, or except in a sanitary landfill licensed by the State of Michigan.

Section 3. Nuisance. The presence of an unwholesome substance(s) in violation of the terms of this Ordinance is hereby declared to be a public nuisance.

Section 4. Penalties. Violation of this Ordinance shall be a misdemeanor punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the County Jail for a period not to exceed ninety (90) days, or both such fine and imprisonment. Each day that such violation shall continue shall constitute a separate and distinct violation of the provisions of this Ordinance.

Section 5. Enforcement by Village Council. The Village Council of the Village of Custer shall have the authority to determine compliance with this Ordinance and to enforce the Ordinance as authorized by law.

Section 6. Severability. The provisions of this Ordinance are hereby declared to be severable, and if any clause, sentence,

paragraph, section or sub-section is declared to be void or ineffective for any reason, it shall not affect any other part or portion hereof.

Section 7. Repeal. Village of Custer Ordinance No. 107, title in part "Unwholesome Substances", is hereby repealed, as of the effective date of this ordinance.

Section 8. Effective Date. This Ordinance shall be effective twenty (20) days after publication hereof.

8/31/93

Ayes: 5

Nays: 0

published 8/11/93

1 ABSENT
ORDINANCE DECLARED ADOPTED.

Margaret Griswold
Village Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Custer at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Margaret Griswold
Village Clerk