

**ANTI-LITTERING
TOWNSHIP OF FRANKENLUST, MICHIGAN
ord. no. 49 adopted Mar. 8, 1988**

An Ordinance to prohibit littering on public or private property, water, water courses and waterways, within the Township: to create certain presumptions; and to provide penalties for violations hereof.

**THE TOWNSHIP OF FRANKENLUST, BAY COUNTY, MICHIGAN
ORDAINS:**

Sec. 1. UNLAWFUL ACTS.

It shall be unlawful for any person, knowingly, without the consent of the public authority having supervision of public property, or of the owner of private property, to dump, deposit, place, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of, litter on public or private property or water other than property designated and set aside for such purposes or as may be designated in the Township Trash Collection Ordinance. The phrase "public or private property or water", includes but is not limited to, the right-of-way of the road or highway, a body of water or water course, or the shore or beach thereof, including the ice above water, a park, playground, building, refuge, or conservation or recreation area, residential properties, farm properties and timberlands. 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 dropped on the highway, road or street as a result of the accident.

(ord. no. 49 adopted Mar. 8, 1988)

Sec. 2. DEFINITIONS.

The term "**litter**", as used herein, means all rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, trash, debris or other foreign substances of every kind and description.

(ord. no. 49 adopted Mar. 8, 1988)

**Sec. 3. THROWING OR CAUSING LITTER TO FALL INTO PATH OF
VEHICLE.**

It shall be unlawful for any person to knowingly cause any litter or any object to fall or to be thrown into the path of or to hit a vehicle traveling

upon any highway, road or street, public or private, within the Township of Frankenlust.

(ord. no. 49 adopted Mar. 8, 1988)

Sec. 4. PRESUMPTIONS.

In a proceeding for violation of this Ordinance involving litter from a motor vehicle, proof that the 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 warrant was the registered owner of the vehicle at the time of the violation, shall create a presumption that the registered owner of the vehicle was the driver of the vehicle at the time of the violation.

The driver of a vehicle is presumed to be responsible for litter which is thrown, dropped, dumped, deposited, placed or left from the vehicle on public or private property or waters as defined herein.

In a proceeding for violation of this Ordinance involving litter from a leased motor vehicle, proof that the particular vehicle describe 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 Lessee of the vehicle or vessel at the time of the violation, shall create a presumption that the Lessee of the vehicle was the driver of the vehicle at the time of the violation.

For purposes of this Ordinance, vehicle means every motor vehicle registered under Act No. 300 of the Public acts of 1949 as amended, being Sections 257.1 to 2579.3 of the Michigan Compiled Laws.

(ord. no. 49 adopted Mar. 8, 1988)

Sec. 5. SHORT TITLE.

This Ordinance shall be known as the Frankenlust Township Anti-Littering Ordinance.

(ord. no. 49 adopted Mar. 8, 1988)

Sec. 6. PENALTIES.

A violation of this Ordinance shall constitute a misdemeanor and shall be punishable by a fine of not to exceed Five Hundred and no/100 Dollars (\$500.00) or 90 days in jail, or both, at the discretion of the Court.

The Township Board may post notice in conspicuous places within the Township, publicizing the provisions of this Ordinance.

(ord. no. 49 adopted Mar. 8, 1988)

Sec. 7. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall become effective 30 days after publication hereof, as required by statute in such case made and provided.

Adopted at a regularly scheduled meeting of the Township Board of the Township of Frankenlust held at the Township Hall on the 8th day of March, 1988.

(ord. no. 49 adopted Mar. 8, 1988)