

SHERMAN TOWNSHIP

BLIGHT, LITTER AND JUNK ORDINANCE

ORDINANCE NO. 17

ADOPTED: 6/10/2025; EFFECTIVE: 8/01/2025

THE TOWNSHIP OF SHERMAN, OSCEOLA COUNTY, MICHIGAN, ORDAINS:

This Ordinance shall be known and cited as the Sherman Township Blight, Litter and Junk Ordinance.

PURPOSE:

This Ordinance is intended to promote the public health, safety and general welfare; to provide penalties for maintaining public nuisances, litter and junk; to provide for the abatement of public nuisances, litter and junk by the township and the collection costs thereof.

SECTION I

DEFINITIONS:

BLIGHT/LITTER/JUNK, as used herein, shall include, but not limited to, dismantled motor vehicles, parts of machinery or motor vehicles; unlicensed or inoperative trailers; or mobile recreational vehicles or unoccupied and uninhabitable, abandoned, dismantled or fire-damaged, mobile homes/trailers, refrigerators, water heaters or other appliances; scrap metal; garbage, trash or other cast-off materials; dead animals; fish; discarded furniture, construction debris; tires.

JUNK MOTOR VEHICLES shall include any motor vehicle;

- A. Which is not currently licensed for use upon the highways of this state;
- B. Which does not display a current, valid license plate;
- C. Which is for any reason disabled or not lawfully operative on the highways of this state or which is not repairable;

SECTION II

LITTER, JUNK, NUISANCES PROHIBITED:

- A. Public nuisances shall include, but not be limited to, whatever is forbidden by any provision of this Ordinance. No person shall commit, create or maintain any public nuisance, or maintain litter and junk on his/her property.
- B. It shall be unlawful, punishable and subject to the remedies provided herein for any person, corporation, partnership, combination or association of persons to engage in conduct, intentionally or unintentionally, to act or maintain, create or accumulate the conditions provided herein. No person within the Township of Sherman shall:

1. Store, maintain or permit to remain outside of a completely enclosed building on any property any litter, refuse, trash, junk or junk motor vehicles.
2. Leave or keep in an area open and accessible to the public or children any abandoned, unattended, unused or discarded icebox, refrigerator or any air-tight container of any kind which has a snap latch or other locking device thereon without first removing the snap latch or other locking device or the doors from such icebox, refrigerator, other such air-tight container.
3. Store, or maintain, more than three vehicles that meet the definition of JUNK MOTOR VEHICLES as noted above.

SECTION III REGULATIONS:

- A. It shall be unlawful for any person, to dump, deposit, place, leave, or cause or permit the dumping, depositing, placing, or leaving of litter or any other materials on any public or private property or waters within Sherman Township. The phrase "public or private property or waters" includes, but not limited to, the right-of-way of any road or highway, any body of water or water course, or the shores or beaches thereof, and including the ice above such waters, any park, playground, building, refuge, or conservation or recreation area, and any residential, commercial, industrial, or farm properties or vacant or unimproved lands.
- B. It shall be unlawful for any person within the Township of Sherman to accumulate, place, store or deposit refuse/junk on any street, highway or other public place, or on any private premises, or to permit the accumulation, placement, storage, or deposit of refuse on premises owned, occupied, or controlled by that person. The foregoing prohibition shall not apply to refuse deposited, spread, or placed in a licensed landfill or lawful junkyard.
- C. The owner or occupant of any building or premises within the Township of Sherman shall not permit or cause the outdoor storage of litter on such premises, subject to the following exceptions:
 1. Such litter is temporarily stored outdoors for not more than 14 days or for longer than any period which would cause the same to be odoriferous or a breeding place of insects or rodents, whichever is the lesser period.
 2. Such litter does not include garbage or other putrescible liquids or solids, is screened from the view of all adjacent properties and abutting public or private rights-of-way, and is being stored only between public litter collection times, which shall occur at least monthly.

- D. It shall be unlawful for any person in Sherman Township to have on their property a portion of a home that is damaged by fire, wind, flood or other case so that the structural strength or stability of the home is appreciable 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, of the Michigan Residential or Building Codes for a new building or structure, purpose or location and such condition has existed for at least 180 days, in which it then becomes subject to this Ordinance.

SECTION IV **ENFORCEMENT & PENALTIES**

- A. This Ordinance shall be enforced by such person(s) who shall be so designated by the Township Board.
- B. The owner and/or occupant of any property upon which any of the causes of blight or blighting factors is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 21 days after service of the notice upon them. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress. Any person found, by the Township Enforcement Officer, to be in violation of this ordinance, may appeal to the Township Board, by filing an appeal with the Township Clerk within ten (10) days of the expiration of the time given by the Enforcement Officer.
- C. Failure by the owner and/or occupant to comply with terms of the notice required by Section IV(B) within the time allowed shall constitute a violation of this ordinance.
- D. Any person, firm or corporation found violating the provisions of this Ordinance, is responsible for a Municipal Civil Infraction as determined by Michigan law and subject to a civil fine determined in accordance with the following schedule: Each day that a violation shall continue constitutes a separate offense. The fine starts the day after the deadline date stated on the notice. Checks for fines shall be made payable to Sherman Township.

Fee Schedule:

1 st offense	(min) \$75.00	(max) \$500.00
2 nd offense within a 3 year period*	(min) \$150.00	(max) \$500.00
3 rd offense within a 3 year period*	(min) \$325.00	(max) \$500.00
4 th or more offense within a 3 year period*	(min) \$500.00	(max) \$500.00

*Determined on the basis of the date of commission of the offense(s).

- E. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Sherman Township has been put in connection with the Civil Infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance.

SECTION V

VALIDITY

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part or portion thereof so declared to be invalid.

SECTION VI

REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Any and all anti-blight ordinances previously adopted by Sherman Township, as amended, are hereby repealed.

SECTION VII

EFFECTIVE DATE

This Ordinance shall take effect on: MM/DD/YYYY, thirty (30) days after its publication as required by law.

Sherman Township
Osceola County, MI