

VOLUME II

LAWRENCE TOWNSHIP CODE OF COMPILED ORDINANCES

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VOLUME II
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**ORDINANCE NO. 2
Lawrence Township**

JUNK YARD ORDINANCE

An ordinance to provide for the control and licensing of junk yards and places for the dismantling, wrecking, and disposing of junk and/or refuse material of automobiles and similar items located in said Township outside of incorporated areas; to provide for an annual license fee; to provide for suitable rules and regulations for the operation of licensed lots to protect the general health, welfare and safety of the Township.

The Township of Lawrence, Van Buren County, Michigan, acting pursuant to Act 12 of the Public Acts of 1929 as amended, MSA 19.731, ORDAINS:

1. That junk yards and places for the dismantling, wrecking and disposing of junk and/or refuse material of automobiles and similar items outside of the incorporated areas of the Township shall be licensed and controlled under MSA 19.731 in the interest of the public health, welfare and safety of the Township.
2. That, after the effective date of this Ordinance, it shall be illegal for any person, co-partnership, corporation or other unit to operate, maintain, or control any junk yard or place for the dismantling, wrecking, and disposing of junk and/or refuse material of automobiles and similar items until the same is licensed hereunder.
3. A license fee paid annually on the first day of March shall be paid by each applicant in the sum of \$100.00. The fee shall accompany the application for a license and, in case the application is refused, the Board shall direct the Clerk to return the fee to the applicant. In case the application is made during the year, the applicant shall only be required to pay 1/4 of the fee if application is made in the last quarter preceding the 1st day of December; 1/2 of the fee if made in the second calendar quarter preceding the 1st day of September; and 3/4 of the fee if made in the third calendar quarter preceding the 1st day of June. The fee shall be payable annually thereafter in the sum set forth above and payment and issuance of the license shall be a condition precedent to the operation of a junk yard and place for the dismantling, wrecking and disposing of the junk and/or refuse material of automobiles and similar items.
4. The form of the application shall be:

**STATE OF MICHIGAN
COUNTY OF VAN BUREN
TOWNSHIP OF LAWRENCE**

Application for license to operate a junk yard, and place for dismantling, wrecking and disposing of the junk and/or refuse material of automobiles and similar items. Please provide Township Officials with the following information:

Name of Applicant

Type of Organization (individual, co-partnership, or corporation)

Location of business

Names of all persons who have an interest in the business

Is the lot completely fenced? _____ If so, what type of fencing is used? How tall is it?

Does the State require you to have a state license? _____ If so, do you have one?

How many licenses do you hold from the Michigan Secretary of State?

Have you or any of your business partners ever been refused a license of this type?

Have you or any of your business partners ever been convicted of a felony?

Amount of fee accompanying this application:

Dated: _____

Signature of Applicant

Subscribed and sworn to before me this _____ day of _____, 19____.

, Notary Public

Van Buren County, Michigan

My commission expires: _____

5. The applicant shall deliver to the Township Clerk with each new application and fee a paper signed by 65 per cent of the owners of interest in real estate within a 1/2-mile radius of said proposed lot indicating that they have no objections to the issuance of the license. The Board shall be the sole judge of whether or not the required 65 per cent have indicated such

approval. Any original application, which does not have such an affirmative accompanying statement attached, shall be held in abeyance until applicant furnishes it.

6. The Board may grant the license if it deems same to be proper or the Board may order a hearing on the application and, after hearing, for just cause and in its discretion, may refuse to grant the license provided for herein, in which case the fee shall be returned to the applicant. The said hearing shall be a public hearing and the Board may avail itself of any aid of public officials thereon or may employ investigators who shall report at the public hearing. At said hearing, the Board may employ counsel to present the facts and advise it on questions of law and the applicant may be represented by legal counsel.

7. Any license so granted shall specify that the sale of used cars is prohibited under the license and that to sell used cars requires a license issued by the Township for said used car lot separate and apart from this license.

8. In the interest of public health and to protect the general welfare and to promote the same, to reduce thefts and to avoid making attractive nuisance of said lots, the Board hereby adopts the following rules and regulations for its guidance in approving all applications for the operation of all said licensed premises.

A. Each applicant shall have a license issued by the State if one is so required by law, and if one is so required, no action on this application shall be taken until it is issued.

B. Each premise to be licensed shall be enclosed by a solid fence or other equivalent suitable barrier approved by the Township Board of a minimum height of eight (8) feet to prevent prowlers from gaining ready access thereto, to keep children from the premises and to provide security for the lot, and to shield the premises and its operations from the abutting property owners. Each licensee shall keep the fence or other approved barrier in good condition and repair at all times and failure to do so shall be cause for revocation of the license. Any fence or barrier adjacent to a public highway shall be no closer than seventy-five (75) feet from the centerline thereof.

C. Each premise to be licensed shall be shown by its owners to be able to be maintained in such a manner as to preclude undue fire hazards to it and adjoining lands. All premises shall be kept clean and orderly so that no fire or health menace may arise from their operation. If such health or fire hazard arises, the Board may revoke the license or in proper case refuse to renew the same.

D. No person or persons shall be allowed to use any used or secondhand car for living quarters, and if any vehicle on a licensed lot is so used, it shall be grounds for revocation of the license, refusal to renew same, or refusal to grant it in the first instance. Use of such a lot as a secondhand lot for sale of autos without a license shall be grounds for revocation of the license also or grounds for refusal to renew it.

E. No person or persons shall be allowed to live within the confines of said lot without specific prior written approval of the Board, which shall be included in or affixed, to the license.

F. Each person or applicant shall be of good repute.

G. Each applicant and licensee shall make the required reports to the Michigan State Police and other governmental agencies as required by law and failure to do so shall be grounds for revocation of the license or refusal to renew it. Any applicant or licensee violating any laws as relating to said premises should automatically have his license revoked on being convicted thereof.

H. The Board reserves the right to revoke any license for violation of its rules after a hearing. The licensee shall be notified of said hearing at least ten (10) days prior thereto by U.S. Mail. Said notice shall include a statement of charges.

I. The Board shall call a hearing on any licensee if 65 per cent of the owners of interest in real estate within 1/2-mile radius of the licensed premises shall file objections in writing with the Board complaining about the operation of the licensed premises.

J. It shall be ground for revocation of the license if licensee shall operate a junkyard or yard for dismantling or wrecking of autos in any location other than that licensed herein.

K. The Board shall not be required to give notice of grounds for its refusal to renew a license, but shall grant a hearing if the licensee shall demand same in writing, within 20 days prior to receipt of such demand.

L. No burning of cars, car parts, components, or residues shall be permitted on the premises.

M. All dismantling, destruction, crushing, compacting and loading operations shall be conducted between the hours of 6:00 a.m. and 10:00 p.m.

N. No operation shall be engaged in on the premises that will:

- a) cause vibrations outside of the fenced area;
- b) result in excessive smoke, acrid, foul, or damaging odors or residue;
- c) give off excessive light; and/or
- d) encourage or harbor rodents.

9. In case of revocation of a license, no fee shall be returned.

10. The Board shall at all times have the right to cause investigations to be made of the licensed premises to ascertain if the rules and regulations hereunder are being adhered to and the Board or its agent may enter upon the premises for the purpose of investigation.

11. A majority of the Board voting on any application or revocation of it shall govern and be the action of the Board.

12. The form of the license shall be:

**TOWNSHIP OF LAWRENCE
Van Buren County, Michigan
LICENSE TO OPERATE A JUNK YARD**

The Township of Lawrence, acting under Act 12, Public Acts of 1929 as amended hereby, licenses _____ to operate a junk yard and yard for the dismantling, wrecking and disposing of junk and/or refuse material of automobiles and similar items at _____ (said location only) in said Township for a period expiring on the ____ day of _____, 19__.

License non-transferable

License revocable

License Fee

THIS IS NOT A LICENSE FOR OPERATION OF A USED CAR LOT.

Lawrence Township Clerk

13. Penalty: Any person, firm, or corporation violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding \$100.00 or by imprisonment in the County Jail not to exceed 90 days, or by both such fine and imprisonment in the discretion of the Court. The Board may also bring civil action through the Circuit Court for the County of Van Buren. Each day of violation shall be considered a separate offense.

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

15. Repeal: All ordinances and resolutions in conflict with any of the provisions of this Ordinance are hereby repealed, except that this Ordinance in no way amends the Lawrence Township Zoning Ordinance.

ADOPTED: May 12, 1966

EFFECTIVE: June 12, 1966

ORDINANCE NO. 3
Lawrence Township

BOAT SPEEDS ON REYNOLDS LAKE

An ordinance to regulate the speed of vessels and to provide for the safe use of the waters in Lawrence Township, Van Buren County; enacted under the authority of Act 303, Public Acts of 1967, as amended (M.S.A. 18.1287 (17)), being identical to State Administrative Rules filed in the Office of the Secretary of State.

The Township of Lawrence ORDAINS:

Section 1

All words and phrases used in this ordinance shall be construed and have the same meanings as those words and phrases defined in Act 303, P.A. 1967, as amended, M.S.A. 18.1287 (8).

Section 2

Reynolds Lake channels connecting; slow--no wake speed. On the waters of the channel connecting North Reynolds Lake to South Reynolds Lake in Section 24, Town 3 South, Range 15 West, Lawrence Township, Van Buren County, it is unlawful for the operator of a vessel to exceed a slow--no wake speed, which is a very slow speed whereby the wake or wash created by the vessel would be minimal.

Section 3

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

Section 4

Violations of this ordinance are a misdemeanor and may be punished by a fine not to exceed \$100.00 together with costs of prosecution or imprisonment in the county jail or such other place of detention as the court may prescribe, for a period not to exceed 90 days, or said fine, costs of prosecution and imprisonment at the discretion of the court.

Section 5

This ordinance and the various parts, sections, subsections, provisions, sentences and clauses are severable. If any part of this ordinance is found to be unconstitutional or invalid it is declared the remainder of this ordinance shall not be affected hereby.

Section 6

This ordinance shall take effect June 20, 1978.

ADOPTED: May 11, 1978

EFFECTIVE: June 20, 1978

ORDINANCE NO. 4
Lawrence Township

LAWRENCE ECONOMIC DEVELOPMENT CORPORATION

WHEREAS, there exists in the Township of Lawrence the certain need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to strengthen and revitalize the Township's economy, and

WHEREAS, it is therefore necessary to provide the means and methods for the encouragement and assistance of industrial and commercial enterprises in locating and expanding in the Township, to more conveniently provide needed services and facilities of such enterprises to the Township and its residents, and,

WHEREAS, Act 338 of the Public Acts of Michigan of 1974, MCLA 125.601 et seq., provides for the incorporation of an economic development corporation for the Township to accomplish such purposes, and,

WHEREAS, an application has been filed pursuant to the cited Act for permission to incorporate the Economic Development Corporation of the Township of Lawrence, and,

WHEREAS, a public hearing on said application and any competing application has been held,

The Township of Lawrence ORDAINS:

Section 1

The application under date of July 13, 1978, filed by Paul McGowan, Rex E. Allen, and Waldo Dick incorporates the Economic Development Corporation of the Township of Lawrence and the proposed Articles of Incorporation for said corporations are hereby approved.

Section 2

The County Clerk is hereby directed to publish a copy of the Articles of Incorporation in the Courier-Leader promptly after passage of this ordinance. The publication shall include the following:

"A citizen of this Township may question the incorporation by filing suit in the Circuit Court of Van Buren County within 60 days after the filing of certified copies of the Articles of Incorporation with the Secretary of the State and the Clerk of Van Buren County".

Section 3

Upon passage this ordinance shall become effective August 18, 1978.

ADOPTED: August 10, 1978

EFFECTIVE: August 18, 1978

ORDINANCE NO. 5
Lawrence Township

DIVISION OF LOTS

An Ordinance pursuant to Section 263 of P.A. 288 of 1967, as amended, to permit the dividing of lots under certain circumstances.

The Township of Lawrence, pursuant to Section 263 of P.A. 288 of 1967, as amended, ordains:

1. A division of a lot in a recorded plat is prohibited, unless approved following application to the Township Board.
2. The application shall be filed with the Township Clerk and shall state the reasons for the proposed division. No lot in a recorded plat shall be divided into more than four (4) parts and the resulting lots shall be not less in area than permitted by the Township or County Zoning Ordinance.
3. No building permit shall be issued, or any building construction commenced, unless the division has been approved by the Township Board and the suitability of the land for building sites has been approved by the County Health Department.
4. The division of a lot resulting in a smaller area than prescribed herein may be permitted, but only for the purpose of adding to the existing building site or sites. The application shall so state and shall be in affidavit form, together with a diagram or map showing the parcel or parcels and desired changes and resulting parcel or parcels.
5. Violations of this ordinance shall be a misdemeanor punishable by a fine of not to exceed \$100.00 or by imprisonment for not more than 10 days or both or any combination thereof, plus costs at the discretion of the Court. The Township may also enforce the provisions hereof in the appropriate Court by injunctive relief or other available remedies.

ADOPTED: June 12, 1980

EFFECTIVE: July 3, 1980

ORDINANCE NO. 6
Lawrence Township

REGULATION OF OUTDOOR ASSEMBLIES

The Township of Lawrence ORDAINS:

That the interest of the public health, safety and welfare of the citizens of the Township requires the regulating, licensing and control of large numbers of people in outdoor assemblies of more than 1,000 persons in attendance, excessively drawing upon the health, sanitation, fire, police, transportation, utility, and other public services regularly provided in the Township.

Section 1 EXCEPTIONS TO ORDINANCE

- a. An event, which is conducted or sponsored and approved by any governmental or school unit or agency upon public property.
- b. Any event held entirely within the confines of a permanent or enclosed and covered structure.

Section 2 DEFINITIONS

- a. PERSON means any natural person, partnership, corporation, association or organization.
- b. SPONSOR means any person who organizes, promotes conducts or causes to be conducted, an outdoor assembly.
- c. ATTENDANT means any person who obtains admission to an outdoor assembly by the payment of money or by the rendering of services in lieu of payment of money for admission.
- d. LICENSEE means any person to whom a license is issued pursuant to this Ordinance.

Section 3 LICENSING

A person shall not sponsor, operate, maintain or conduct or promote an outdoor assembly in the Township, unless he shall have first made application for and obtained as hereinafter prescribed, a license for each assembly, along with a non-refundable fee of \$100.00.

The application for license to conduct an outdoor assembly must be made in writing at least 60 days prior to date of proposed assembly on such forms and in such manner as prescribed by the Clerk of the Township.

The application shall include at least the following information:

- a. Name, age, residence, and mailing address of the person making the application or in the case of a partnership, corporation or other association, information shall be included as to partners, officers, directors, and/or members of the association. Where the person is a corporation, a copy of the Articles of Incorporation shall be filed and the names and addresses of all shareholders having a financial interest greater than \$500.00 shall be provided.
- b. A statement of the kind, character, and type of proposed assembly.
- c. The address, legal description, and proof of ownership of the site on which the proposed assembly is to be conducted. Where ownership is not vested in the prospective licensee, he shall submit an affidavit from the owner indicating his consent to the use of the site for the proposed assembly.
- d. The date or dates and hours the proposed assembly is to be conducted.

- e. An estimate of the maximum number of attendance expected at the assembly for each date it is conducted.
- f. A detailed showing, explanation and demonstration that the proposed licensee can and will meet each and every requirement set forth under Section 7, entitled “REGULATIONS & CONTROL AFTER ISSUANCE OF LICENSE” of this Ordinance.

Section 4 ISSUANCE OF LICENSE

On a receipt by the Clerk, copies of the application shall be forwarded to the Chief Law Enforcement and Health Officers for the Township and County, the State Fire Marshall, and to such other appropriate officials as the Clerk deems necessary. Such officer and officials shall review and investigate matters relevant to the application and within twenty (20) days of receipt to the application and within twenty (20) days of receipt therefor shall report their findings and recommendations to the Township Board.

Within thirty (30) days of the filing of the application, the Township Board shall issue set conditions prerequisite to the issuance of, or deny a license.

The Township Board may require that adequate security or insurance be provided before a license is issued.

Where conditions are imposed as a prerequisite to the issuance of a license, or where a license is denied, within five days of such action, notice thereof must be mailed to the applicant by certified mail and in the case of denial, the reasons therefor shall be stated in the notice.

Section 5 BASIS OF LICENSE DENIAL

A license may be denied if the applicant fails to comply with any or all requirements of this Ordinance or with any or all conditions imposed pursuant hereto or with any other applicable provision of state or local law or if the applicant has knowingly made a false, misleading, or fraudulent statement in the application, or in any supporting document.

Section 6 LICENSE

A license shall specify the name and address of the licensee, the kind and location of assembly and the duration of the license, and any other conditions imposed pursuant to this Ordinance. It shall be posted in a conspicuous place upon the premises of the assembly and shall not be transferred to any other person or location.

Section 7 REGULATIONS & CONTROL AFTER ISSUANCE OF LICENSE

- a. SECURITY PERSONNEL the licensee shall employ at his own expense, such security personnel as are necessary and sufficient to provide for the adequate security protection of the maximum number of attendants at the assembly and for the preservation of order, protection of property in and around the assembly.
- b. WATER & WASTE FACILITIES the licensee shall provide potable water as approved by a County Health Officer of sufficient quantity and pressure to assure proper operation of all water using facilities under conditions of peak demand. The number and type of facilities required shall be determined on the basis of the number of attendants in the following manner: Toilets and lavatories at a ratio of one (1) to every 200 attendants; drinking fountains, one (1) to every 500 attendants; taps or faucets one (1) to every 500 attendants. Where the assembly is to continue for more than 12 hours, the licensee shall provide shower facilities on the basis of the number of attendants the basis of the ratio of one (1) to 100.

All facilities shall be installed, connected, and maintained free from obstructions, leaks, and defects, and shall at all times be in operable condition as determined by the County Health Officer.

(PUBLIC BATHING BEACHES shall be provided or made available or accessible only in accordance with Act 218, Public Acts of 1967, and the rules and regulations adopted pursuant thereto and in accordance with any other applicable provision of state or local law. Public swimming pools shall be made available only in accordance with Act 230, Public Acts of 1966, and the rules and regulations adopted pursuant thereto and in accordance with any other applicable provisions of state or local law).

- c. LIQUID & SOLID WASTE DISPOSAL the licensee shall provide proper liquid and solid waste disposal so as to neither create nor cause a nuisance or menace to the public health as determined by the County Health Department.
- d. FOOD SERVICES if food is made available on the premises, it shall be delivered only through concessions licensed to operate in accordance with the provisions of Act 269, Public Acts of 1968, and the rules and regulations adopted pursuant thereto and in accordance with any applicable state or local law.
- e. MEDICAL FACILITIES each assembly must have medical services available in a suitable building. The nature and extent of such service will be determined by the County Health Department.
- f. ACCESS & TRAFFIC CONTROL, PARKING, CAMPING & TRAILER PARKING access, traffic control, parking shall be provided to insure proper ingress, egress, orderly flow of traffic and orderly parking of vehicles brought to the assembly. Traffic lanes and other spaces shall be provided, designated and kept open for access by ambulance, fire equipment, helicopter, and other emergency vehicles. Prior to the issuance of a license, the director of the Department of State Police, Director of the Department of State Police, and Director of the Department of State Highway must approve the plans for access and traffic control. As to parking the licensee shall provide a parking area sufficient to accommodate all motor vehicles but in no case shall it provide less than one (1) automobile space for every four (4) attendants. The licensee shall provide electrical illumination of all occupied areas sufficient to assure the safety and comfort of all attendants.
- g. SOUND PRODUCING EQUIPMENT including, but not limited to public address systems, radios, phonographs, musical instruments, and other sound producing devices shall not be operated on the premises of the assembly so as to be unreasonably loud or raucous, or so as to be a nuisance or disturbance to the peace and tranquillity of the citizens of the Township.
- h. INSURANCE before the issuance of a license, the licensee shall obtain liability insurance with bodily injury limits of not less than \$300,000.00 and property damage limits of not less than \$50,000.00 from a company or companies approved by the Commissioner of Insurance of the State of Michigan, which insurance shall insure liability for death or injury to persons or damage to property which may result from the conduct of the assembly or conduct incident thereto and which insurance shall remain in full force and effect in the specified amounts for the duration of the license. The evidence of insurance shall include an endorsement to the effect that the insurance

company shall notify the Clerk of the Township in writing at least 10 days before the expiration or cancellation of said insurance.

- i. BONDING before the issuance of a license, the licensee shall obtain, from a corporate bonding company authorized to do business in Michigan, a corporate surety bond in the amount of \$100, 000.00 in a form to be approved by the Township Board, conditioned upon the licensee's faithful compliance with all of the terms and provisions of this Ordinance and all applicable provisions of state or local law, and which shall indemnify the township, its agents, officers, and employees and the board against any and all loss, injury or damage whatever arising out of or in any way connected with the assembly and which shall indemnify the owners of property adjoining the assembly site for any costs attributable to cleaning up and/or removing debris, trash, or other waste resultant from the assembly.
- j. FIRE PROTECTION the licensee shall at his own expense, take adequate steps as determined by the state fire marshal to insure fire protection.
- k. FENCING the licensee shall erect a fence, completely enclosing the site of sufficient height and strength as will preclude persons in excess of the maximum permissible attendants from gaining access and which will have sufficient gates properly located so as to provide ready and safe ingress and egress.
- l. MISCELLANEOUS prior to the issuance of a license, the Township Board may impose any other condition(s) reasonably calculated to protect the health, safety, welfare, and property of attendants or of citizens of the Township.

Section 8 REVOCATION

The board may revoke a license whenever the licensee, his employee or agent fails, neglects or refuses to fully comply with any and all provisions and requirements set forth herein or with any and all provisions, regulations, ordinances, statutes, or other laws incorporated herein by reference.

Section 9 VIOLATIONS

It shall be unlawful for a licensee, his employee, or agent to knowingly:

- a. Advertise, promote or sell tickets to conduct or operate an assembly without first obtaining a license as herein provided.
- b. Conduct or operate an assembly in such a manner as to create a public or private nuisance.
- c. Conduct or permit, within the assembly, any obscene display, exhibition, show, plays entertainment or amusement.
- d. Permit any person on the premises to cause or create a disturbance in, around or near the assembly by obscene or disorderly conduct.
- e. Permit any person to unlawfully consume, sell or possess, intoxicating liquor while on the premises.
- f. Permit any person to unlawfully use, sell, or possess any narcotics, narcotic drugs, drugs, or other substances as defined in Act 343, Public Acts of 1952, or as may be amended.

Any of the above enumerated violations is a separate offense, is a nuisance per se immediately enjoined in the circuit courts, and is punishable by imprisonment in the county jail for not more than 90 days or by a fine of not more than \$100.00, or by both, such fine and imprisonment.

It is further provided that any of the above violations is a sufficient basis for revocation of the license and for the immediate enjoining in the Circuit Court of the assembly.

Section 10 SEVERABILITY if any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portion of applications of this Ordinance, which can be given effect without the invalid portion or application, and to this end, this Ordinance is declared to be severable.

Section 11 REPEAL.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

ADOPTED: April 3, 1971

AMENDED: September 11, 1980.

ORDINANCE NO. 7
Lawrence Township

ESTABLISHING FISCAL YEAR

An ordinance establishing the fiscal year of the Township of Lawrence, Van Buren County, Michigan.

The Township of Lawrence ORDAINS:

Section 1

The fiscal year of the Township of Lawrence shall extend from April 1 of each year until March 31 of the following year.

Section 2

The annual settlement day meeting of the Township Board shall be held on the last Thursday immediately preceding the annual meeting, or such other date as the Township Board shall, by resolution, establish any given year, providing that notice of such date, time and place is published at least 20 days prior thereto.

Section 3

The annual meeting of the electors of the township, where the same has not been abolished, shall be held on the last Saturday in the aforesaid fiscal year at such time and place as is determined by the Township Board.

Section 4

This Ordinance shall take immediate effect. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

ADOPTED: April 9, 1981

EFFECTIVE DATE: Immediately

ORDINANCE NO. 8
Lawrence Township

ELECTRIC FRANCHISE

An Ordinance, granting to Michigan Power Company, its successors and assigns, the right, power and authority to construct, maintain and operate lines for the transmission and distribution of electric energy on, along, across and under the highways, streets, bridges, and other public places and to operate and maintain the same and to transact a local business in said Township of Lawrence, Van Buren County, Michigan.

BE IT RESOLVED by the Township Board of the Township of Lawrence, County of Van Buren, State of Michigan and it is hereby ordained by authority of the same that:

Section 1.

The Michigan Power Company, its successors and assigns (hereinafter called "Grantee") are hereby granted the right privilege, franchise and authority to acquire, construct, maintain and operate in, above, under, across and along the streets, thoroughfares, alleys, bridges and public places (as the same now exist and may hereafter be laid out) of the Township of Lawrence, County of Van Buren, State of Michigan, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances for the purpose of supplying electric energy to said township and the inhabitants thereof, and persons or corporations beyond the limits thereof, for light, heat, power, or any other purposes or purpose for which electric energy is now or may hereafter be used, and the transmission of the same within, through or across said Township of Lawrence, County of Van Buren, State of Michigan, subject to such reasonable regulations as the Township Board shall prescribe from time to time.

Section 2.

Said lines and appurtenances shall be constructed so as to interfere as little as possible with the proper lawful use of the streets, alleys and public places. The location of all poles, conduits and appurtenances shall be made under the supervision of the Township Board of the said Township and shall be subject to such reasonable regulations as shall be prescribed by said Township Board from time to time.

Section 3.

The rights, privileges and franchise hereby granted shall be in force and effect for a period of thirty (30) years from the date of the passage of this franchise.

The rights, privileges and franchise hereby granted shall not be construed to be exclusive and the Township Board of the Township of Lawrence, County of Van Buren, State of Michigan, hereby reserves the power to grant similar rights, privileges and franchises to any other person or persons, firm or firms, corporation or corporations.

Section 4.

Said Grantee shall save the township harmless from any and all liability arising in any way from negligence in the erection, maintenance or operation of said lines for the distribution of electrical energy.

Section 5.

Whenever said Grantee shall begin the erection of any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, alleys and public

places where such work is done in as good condition of repair as before such work was commenced.

Section 6.

Whenever in this franchise, reference is made to the Township or the Grantee, it shall be deemed to include the respective successors or assigns, of either and all rights, privileges and obligations herein contained by or on behalf of said Township, or by or on behalf of said Grantee, it shall be binding upon and inure to the benefit of the respective successors or assigns of said Township, or of said Grantee, whether so expressed or not.

Section 7.

This franchise shall be accepted by the Grantee within sixty (60) days from the date of the adoption of this resolution.

Section 8.

This franchise shall take effect from and after its adoption, acceptance and publication as required by law.

ADOPTED: October 8, 1981

ORDINANCE NO. 9
Lawrence Township

CABLE FRANCHISE

AN ORDINANCE, granting to Liberty TV Cable, Inc., a Delaware corporation, hereinafter called the grantee, a franchise to stretch wire and cable and appurtenant structures over and under the streets and alleys of the Township of Lawrence and to maintain and use the same as a coaxial cable distribution system for television distribution to subscribers residences and to business and public establishments for fifteen (15) years and regulating the rate of such service.

THE PEOPLE OF THE TOWNSHIP OF LAWRENCE DO ORDAIN AS FOLLOWS:

Section 1:

- a. Pursuant to full consideration and approval of the grantee's legal, character, financial, technical and other qualifications, and the adequacy, feasibility and extent of its construction arrangements, and as part of a full public proceeding affording due process, the Township of Lawrence, hereinafter called the grantor, does hereby grant to Liberty TV Cable, Inc. and to its successors and assigns, the rights, privilege and authority and franchise to operate in, over, upon and under the streets, alleys and highways, and to erect other appurtenances and to maintain and use the same as coaxial cable system for distribution of television, radio and other signals into subscriber's homes and to business establishments within and throughout the Township.
- b. The grantee shall not transfer the franchise to another person without prior approval from the grantor.

Section 2:

- a. All work excavation, erection of poles and appliances and lying of wires and the operation and maintenance of the grantee's system shall be done in compliance with the necessary rules, regulations, ordinances, or orders, which may during the continuance of this franchise, be adopted from time to time by the Township.
- b. The word "necessary" as used in the foregoing paragraph, shall mean such rules, regulations, and ordinances or orders as the Township Board may deem necessary to protect and safeguard the health, safety and convenience of the public and any member of the public residing within the Township who might be affected by an excavation work or installation of the grantee, or maintenance, use and operation of its television distributing system.
- c. If at any future time the Township Board requires the cable under this franchise be placed underground as part of the underground wiring system, no cost of removing or moving said cable underground shall be paid by the Township; provided however, that grantee shall not be required to place any of its cable underground except in those areas where both the telephone and electric power service facilities are required to be underground or may hereafter be required to place facilities underground; and provided further that in new developments, or in those places where a subscriber or property owner requests that service connections be placed under ground, trenching costs (or a fractional share of joint trench costs based upon relatively required trench dimensions of joint users) for underground installations may be charged to and will be borne by the developers, subscribers, or property

owners; and provided further that in underground installations amplifiers and subscriber tap-off devices may nevertheless be placed in appropriate housings on or above the surface of the ground.

Section 3:

- a. All cables, wires, antennas or other appurtenances shall be constructed and erected in a workmanlike manner.
- b. Nothing in this ordinance shall be construed to prevent the Township from sewer, planking, bridging, grading, altering, or otherwise improving any of the streets of the Township. This ordinance shall further not be so construed as to deprive the Township of any rights and privileges, which it has now or which may be conferred upon it to regulate the use and control of streets. The Township shall further have, at all times, the right to make use of the poles of said grantee for wires, cables, or conductors for any and all Township owned wire system, provided that such use does not conflict with grantee's prior occupancy.
- c. In the event any of the grantee's poles, cables, wires or other appurtenances interfere with any future use that the Township desires to make of its streets or alleys, the grantee shall, at its own expense, promptly relocate such poles, cables, wires or other appurtenances upon being notified to do so. Whenever the grantee, its successors and assigns, shall disturb any of the streets for the purpose aforesaid, it or they shall restore the same to good order and condition as soon as practicable without unnecessary delay, and failing to do so, the grantor shall have the right to fix a reasonable time limit within which such repairs and restoration of street shall be completed, and upon failure of such repairs being made by said grantee, its successors and assigns the Township shall have the right to make such repairs and to be reimbursed by the grantee, its successors and assigns.

Section 4:

- a. All construction hereby authorized shall conform to the requirements of the National Electrical Code as developed by the American National Standards Institute, the Michigan Occupational Safety and Health Code, and all other applicable laws, ordinance rules and regulations of the Township and the State of Michigan, as from the time to time amended.
- b. The grantee shall during the continuance of this grant provide facilities and service sufficient at least to meet the rules and regulations and technical standards of the Federal Communications Commission.

Section 5:

- a. Whenever any person has obtained permission of the proper township officials to use any of the streets of said Township for the purpose of moving any building, the said grantee, its successors and assigns, upon prior notice of at least two (2) regular business days from such person and his paying the actual costs thereof, shall raise or remove any and all of the said wires or cables which may obstruct the moving of such building so as to allow the unobstructed passage of the same.
- b. Neither the Township nor any of its employees shall be held liable for the consequence of any act done in connection with the moving of said building or rearrangement of wires or for the cost of rearranging the wires.

Section 6:

- a. In the case it shall be necessary to cut or remove any of the said wires, cable or other appurtenances or equipment of the said grantee in order to get fire ladders or other apparatus

to a building during a township conflagration, the said Township shall not be liable for any damage done to such wires, cables, conductors, or equipment.

Section 7:

- a. Grantee shall have the authority to trim trees upon and overhanging township streets, alleys, sidewalks and other public places in order to prevent the branches of such trees from contacting the grantee's wires, cables and equipment, provided that such trimming be done under the supervision and direction of the Township and at the expense of the grantee.

Section 8:

- a. This franchise shall be for a period of fifteen (15) years after the effective date of this ordinance, with grantee having an option to renew for an additional fifteen (15) years, upon application by the grantee at least six (6) months prior to the expiration hereof and upon approval by the grantor as part of a full public proceeding affording due process.
- b. This franchise is governed by and subject to all applicable rules and regulations of the Federal communications Commission. Any modifications of the provisions of 47 C.F.R. Section 67.31 of the Rules and Regulations of the Federal Communications Commission governing franchise standards shall be incorporated into this ordinance by the Township and grantee within one (1) year of the adoption of the modifications, or at the time of the next franchise renewal, whichever occurs first. It shall be the obligation of the grantee, upon notification of any change in this rule, to notify the Township of these changes.

Section 10:

- a. Grantee shall indemnify and save the Township free and harmless from any and all liability loss, cost, damage or expense from accident or damage, either to itself or to persons or property of others which may occur by reason of the exercise of the rights and privileges herein granted; and shall, for the purpose of carrying out the provision of this section, and prior to commencing construction of any kind, have in full force and effect and file evidence thereof with the Township Supervisor, a good and sufficient policy (or policies) covering bodily injury with the limits of \$2000,000 personal injury each person, \$500,000 personal injury each accident and property damage with limits of \$50,000 each accident and \$100,000 aggregate, with said policy (or policies) to be executed by an insurance company (or companies) authorized and qualified to do business in the State of Michigan and conditioned to indemnify and save harmless the Township from and against any and all claims, actions, suits, liability, loss, cost, expense or damage of any kind or description which may occur to or be suffered by the Township or by anyone by reason of anything that has been done by the grantee thereunder which may in any way cause liability by reason thereof.
- b. The grantee shall pay and by its acceptance of this franchise specifically agrees that it will pay all expenses incurred by the grantor in defending itself with regard to all damages and penalties mentioned in subsection (a) above. These expenses shall include all out-of-pocket expenses such as attorney's fees, and shall also include the reasonable value of any services rendered by the grantor's attorney, or his assistants or of any employees of the grantor.

Section 11:

- a. The township declines to exercise their option to set or approve subscriber rates. The company may modify its subscriber rates without seeking or obtaining prior approval by the township.

Section 12:

- a. the grantee shall at all times fully and faithfully perform all the terms, provisions, and conditions of this franchise and grant and furnish service, meeting at least the minimum requirements and technical standards of the Federal Communications Commission and maintain its property in good order and repair throughout the entire term of the grant, and upon default by the grantee hereunder of any of the provisions of this franchise or upon regulations or orders of the grantor and the continuance of such default or failure for a period of thirty (30) days after written notice setting forth in detail the exact nature of such default or failure such notice to be sent to the corporation headquarters of the grantee, said Township may by resolution, and for good cause shown and such default not corrected, terminate this grant or franchise hereunder and in case of said forfeiture, the grantee shall have 120 days to remove all of its wires, cables or other appurtenances from said streets and alleys and any not so removed within said time shall become the property of the grantor.

Section 13:

- a. The grantee shall not as to rates, charge service facilities rules, regulations, or in any other respect make or grant an preference or advantage, provided that nothing in this franchise ordinance shall be deemed to prohibit the establishment of a graduated scale of charges and classified rate schedules to which any customer coming within such classification would be entitled.

Section 14:

- a. the grantee shall maintain a business office with a toll-free telephone listing, so located that maintenance service hall be promptly available to subscribers upon request. Notice of the procedures adopted by the grantee and the township for the investigation and resolution of all complaints regarding grantee's TV cable operations (a copy of which is attached hereto as Exhibit "A") shall be given to each subscriber at the time of initial subscription to the cable system. Any person having a complaint regarding grantee's operations may direct such complaint to the grantee, or if not satisfied with the grantee's disposition of such complain, to the Township Supervisor, Township Hall, Lawrence, Michigan 49064 who shall have primarily responsibility for the continuing administration of this franchise and implementation of complaint procedures.

Section 15:

- a. The grantee shall provide one free installation, connection, and service therefore, to each public school and municipal building located within the corporate limits of the Township of Lawrence.

Section 16:

- a. The company shall pay to the township to defray the township's cost of administering this franchise a sum equivalent to three percent (3%) of the annual gross subscriber revenues taken in and received by it from delivery of television signals within the Township. For the purpose of this franchise, gross subscriber revenues shall be limited to that revenue the licensee receives as a result of providing its customers with regular subscriber services, and shall not include revenues derived from per-program or per-channel charges, leased channel revenue, advertising revenues, or any other income derived from the system. The franchise fee set forth herein shall be due and payable in cash in full within sixty (60) days following the close of each fiscal year of the company.

Section 17:

- a. The grantee, subject to the provisions contained in Section 1 through 4 herein, is authorized to construct and operate the cable television system in any and all areas of the township, and it shall, upon request, extend its facilities to any and all such areas; provided, however, if in the opinion of the grantee such an extension is economically impracticable, the grantee may seek financial assistance from the developer, contractor, subscriber, or property owner requesting service before it is required to enter into any new construction. Once construction has begun, however, erection of new facilities shall be completed without unreasonable delay. Disputes if any concerning the meaning of “economically impracticable” as used herein shall be subject to review by the township board.

Section 18:

- a. Upon enactment of this Ordinance either of the following actions by any person, corporation or unincorporated association shall be unlawful and subject to criminal penalty as described in subsection (d) below:
- b. The unauthorized connection whether physically, electronically, acoustically, inductively or otherwise with any part of a licensed CATV system with the township for the purpose of taking or receiving television or radio signals, pictures, programs or sounds, or for the purpose of enabling others to receive such signals, pictures, programs or sounds.
- c. The willful tampering with, removal of, or injury to any cables, wires or equipment used for distribution of television or radio signals, pictures, programs or sounds without the consent of the system owner.
- d. Violators of the provisions of this section shall be guilty of a misdemeanor, and each and every day or portion thereof during which any violation of any of the provisions of the section is committed, continued, or permitted, shall be deemed a separate offense and upon conviction of any such violation such violator shall be punishable by a fine of not more than \$100 and/or ninety (90) days imprisonment. Any equipment or structure erected or maintained and any work commenced or continued in violation of this ordinance shall be and is hereby declared unlawful and the township board shall institute necessary legal proceedings for the abatement, removal or enjoinder thereof in the manner provided by law and shall take such other steps as may be necessary to accomplish these ends.

Section 19:

- a. The grantee, upon the retirement of its operating equipment, shall install and maintain equipment equal to or approximating the capability of then current CATV technology to the extent that this is practicable and economically feasible.

Section 20:

- a. If any sections, subsection, sentence, clause, phrase, or portion of the Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity or constitutionality of the remaining portions thereof.

Section 21:

- a. The grantee shall signify its acceptance of this franchise by filing written notification thereof with the Township Board within thirty (30) days from final passage of this Ordinance by the

Township Board and approval by the Township Supervisor. The franchise shall become effective on the date such acceptance is received by the Township Board.

ADOPTED: May 13, 1982

EXHIBIT "A"
LIBERTY TV CABLE, INC.
PROCEDURES FOR INVESTIGATION AND
RESOLUTION FOR COMPLAINTS

Liberty TV Cable, Inc. (Company) and the Township of Lawrence, Michigan (Township) hereby adopt the following procedure for investigation and resolution at the local level of all complaints made against the Company regarding its cable television service:

1. The company shall maintain a business office in South Haven, Michigan with a toll-free listed telephone number, to which all complaints and requests for cable maintenance service can be directed, during regular business hours, except in the event of an emergency, at least one company employee shall be available to accept complaints made in person at the business office and to answer the telephone for that purpose. At times other than regular business hours, the company shall provide for the answering service, or otherwise, with such calls relayed to a responsible employee of the company.
2. Requests for cable maintenance service shall be assigned to company personnel and corrective action taken as soon as possible.
3. The township will designate a person or persons as the township official who shall have primary responsibility for the continuing administration of the cable franchise and the enforcement and implementation of the complaint procedure set forth below. Such complaints shall be made to the township board's office during normal business hours. Members of the township board of the township of Lawrence shall refer complaining parties to the company or to the designated township official.
4. Complaints shall be recorded on a form to be prepared by the company, and a complaint shall not be valid or properly filed unless at least one of the following information has been provided:
 - (a) Complainant: Name, address, and phone number at which, and times, when, complainant may be reached
 - (b) Location: Exact address or defined area where the problem exists
 - (c) Complaint: Nature of the complaint, state in reasonable detail to the best of the ability of the complainant; the time and date the problem occurred or was observed and whether it still exists at the time of the complaint; whether the problem has occurred previously, and if so, the approximate time and date and whether it was then reported to the company and the name of any TV set repairman who has been consulted and the information received from him.

As soon as reasonably possible, the company shall investigate such complaint; make the necessary corrections if reasonably possible; and contact the complainant by telephone at the telephone number given (or at the company's option, in person at the address given), and explain what the company has done to correct the problem complained of, or if the problem is not immediately solvable, explain the difficulty and inform the complainant of steps being taken and when the problem will be

- corrected. If several complaints are caused by the same set of circumstances, however, the company may limit its contacts to a reasonably representative number.
5. If the complainant is not so resolved, or if complainant is not satisfied with the company's resolution of the complaint, and in those cases where complaints are originally directed to the township:
 - (a) Complainant may submit to the township supervisor of the township or designated official a complaint, which must be in writing and must contain the information set forth above, together with complainant's version of any previous actions taken by the company and the basis of the continued complaint. The township supervisor shall immediately mail a copy of such complaint to the company's local business office.
 - (b) The township supervisor shall forthwith conduct his own investigation of the complaint, either individually or jointly with the company. Within one week after receipt of the complaint, the township supervisor shall, in writing, notify the complainant and the company of his findings, conclusions, and recommendations.
 - (c) The company shall forthwith take such actions as are reasonably feasible to comply with the recommendations of the township supervisor and to the complainant.
 - (d) If complainant is not satisfied with the resolution of the complaint, the company shall provide the township board with the complete written record of the complaint and shall cooperate with the township board in its review and in such further investigation as the board shall deem relevant and appropriate.
 6. The company shall give notice of the foregoing procedure to each subscriber at the time of initial subscription to the cable service, and at the company's option the complaint procedure may be made part of its subscriber service contract.

ORDINANCE NO. 10
Lawrence Township

CABLE FRANCHISE, VAN BUREN COUNTY CABLEVISION

An ordinance granting Van Buren County Cablevision, a Michigan corporation, herein called VBCC, a non-exclusive franchise to construct, operate and maintain a cable communication system in Lawrence Township, for the purpose of receiving, amplifying and distributing television and radio signals, and other cable communications service within the Township of Lawrence.

THE TOWNSHIP OF LAWRENCE ORDAINS:

1. VAN BUREN COUNTY CABLEVISION shall have non-exclusive permission to construct, operate and maintain a cable communications system (“SYSTEM”) in the Township, for the purpose of receiving, amplifying and distributing television and radio signals and other cable communications service within the Township, subject to the conditions and terms herein contained.
2. This permission shall authorize and permit VBCC to engage in the operation of providing cable communication service in the Township and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain and retain, on, over, under, upon, across and along any public street, alley, or highway such poles, wires, cable, conductors, ducts, conduits, amplifiers, appliances, and attachments as be necessary and appurtenant to the SYSTEM. VBCC shall only be responsible to construct and service those areas of the township as shown on the map attached as Exhibit “A”, provided, however, that VBCC shall provide service to the residents of the township as provided in paragraph (I) hereof.
3. Obligations of VBCC:
 - (a) No poles, towers, structures or other items used, erected or constructed by or for the use of VBCC shall interfere with public traffic, use or access to or over any public right-of-way.
 - (b) Any public street, alley, highway or right-of-way disturbed or damaged on account of the use, maintenance or construction of the SYSTEM by or for the use of VBCC shall be promptly repaired by VBCC at its own expense and to the satisfaction of the township.
 - (c) The SYSTEM shall initially have a capacity of 19 channels, of which 15 shall constitute the “basic service” channels. The additional channels may be used for “premium channels” or for such other programs as VBCC may from time to time offer to subscribers.
 - (d) One outlet, providing basic service only, shall be provided free of charge to all government buildings and to all public, private and parochial schools and colleges within the township, provided the structure is within 200 feet of a distribution line.
 - (e) All lines, cables or wires installed as part of the SYSTEM shall be installed underground in those areas where electric lines and telephone lines are located in underground installations; and as electric and telephone lines are placed underground in the future, VBCC shall also place its lines, cables or wires underground in such areas, on the same terms and conditions as that of the electric and telephone companies.

- (f) Where electric or telephone lines are not already located underground, cables, wires and lines to a subscriber's outlet shall be placed underground if so requested by the subscriber, provided, however, the cost of excavating, opening the ground, refilling, landscaping, planting and labor therefore shall be paid by the subscriber.
- (g) VBCC will defend, indemnify and hold the township harmless, at VBCC's own expense, from any and all claims, which may arise in connection with the use, operation and/or maintenance of the SYSTEM.
- (h) VBCC will furnish to the township proof of insurance covering liability and property damage in the amount of one million (\$1,000,000) dollars.
- (i) VBCC agrees that it will furnish its service to any person in the township who is within 200 feet of a main distribution line who requests the service, without any additional charge, subject to paragraphs (e) and (f). Failure to do so will constitute a default in the terms of this franchise. In the event it is necessary to cross private property to reach a person requesting service, it shall be the responsibility of the person seeking service to obtain the necessary easements.
- (j) VBCC will maintain an office telephone by which subscribers may contact VBCC to report trouble or problems; and VBCC shall answer and investigate all trouble calls or reports of service problems within 48 hours of receiving any such call or report. If service is interrupted for a period of seven days or more, VBCC shall pro-rate the billing to the subscriber for the applicable period to reflect a refund for the time service was interrupted.
- (k) VBCC will defend, indemnify and hold harmless the township from any and all claims, litigation and damages arising from the use, maintenance or operation of the SYSTEM which may arise out of claims for infringement of trademark, patents and/or copyrights by VBCC or the SYSTEM.
- (l) VBCC will comply with all requirements of federal, state and local laws, and the appropriate rules and regulations of any agency or commission having jurisdiction over such operations. Any amendments or changes of laws, rules, or regulations of such agencies will be incorporated by reference into this ordinance.
- (m) Within 30 days of the end of each calendar quarter, VBCC shall furnish to the township a sworn statement listing the names and addresses of subscribers within the unincorporated part of the township, together with a statement of the gross revenues received from those subscribers during the previous quarter. VBCC shall pay to the township at the time a sum equal to three percent (3%) of such gross revenues. "Gross revenues" means all receipts received by VBCC from basic services, and the gross revenues from pay services less the programming costs to VBCC excluding refundable equipment deposits, and installation and reconnection fees. Gross revenues shall not include any taxes on services furnished by VBCC imposed on any user or subscriber by any governmental unit and collected by VBCC for such governmental unit.
- (n) In the event of any breach or failure to perform any of the conditions of this ordinance by VBCC that continues for a period of thirty (30) days after written notice to VBCC, said continued breach may be a cause for termination of this franchise; provided, however, that if VBCC is unable to reasonably cure the breach or failure to perform within the thirty day period, VBCC may request from the township additional time to cure the breach or failure to perform, and such request shall not be unreasonably denied. No termination shall be imposed for acts, conditions, breaches, defaults, violations or failures, which are beyond the control of VBCC. In the event that

VBCC fails to cure the breach or failure to perform and the township notifies VBCC that this franchise will be terminated, VBCC shall be entitled to a hearing before the township board no later than thirty days from the day of such notification. Notwithstanding anything to the contrary here, the township and VBCC shall have and enjoy every right and remedy for enforcement of this franchise as may be provided by law or equity.

- (o) Rates and charges to subscribers for use of the SYSTEM shall not exceed the following schedule during the term of this franchise and any extensions thereof without the express consent of the township:
15 Channels of basic service-\$9.00 per month, with increase effective 1/1/84 to \$9.95, each additional outlet-\$1.00 per month, installation fee-maximum of \$25.00, converter deposit-\$25.00 per converter (refundable upon return) installation of additional outlets-if installed at time of original hookup-no charge.
 - (p) The rate for basic service and additional outlets may be adjusted yearly effective January 1st of each year, based upon the consumer price index as published by the Bureau of Labor Statistics, (more specifically defined as the City Average-All Items-All Urban Consumers-CPIU) for January 1983, was 293.2 When the January 1984 CPIU is released the percentage increase in CPIU shall be multiplied by the monthly charge for the one year period from April 1, 1984, to March 31, 1985. If the January 1, 1984, CPIU is 307.8 or an increase of 5% over the previous year, then the monthly subscriber fee, if adjusted, would be \$9.95 times .05 equals an increase of 49.75 cents rounded to 50 cents so that the per month subscriber fee would be \$9.95 + .50 or \$10.45 per month. The charge for additional outlets shall be determined in the same manner. However, in no case shall the increase in basic service charge or additional outlet charge exceed seven percent for any yearly period.
 - (q) The initial term of this franchise shall be a period of fifteen (15) years, and shall continue from year to year, subject to modification as agreed upon by both parties, unless after the initial fifteen (15) year period written notification of intent by one party to cancel and discontinue is given to the other party one (1) year in advance of the proposed date of termination; except that in the event of a breach of the terms of this franchise by VBCC, the township shall have the right to rescind the permission given by VBCC herein in accordance with paragraph o. Under no circumstances shall this be considered a franchise, which is not revocable at the will of the township.
4. VBCC shall signify its acceptance of this franchise by filing a written notification thereof with the township board within 30 days from the adoption of this ordinance and approval by the township supervisor. The franchise shall become effective on the date such acceptance is received by the township board.

ADOPTED: April 12, 1984

ORDINANCE NO. 11
Lawrence Township

**WITHHOLDING OF INSURANCE FUNDS ON FIRE OR
EXPLOSION DAMAGE STRUCTURES**

Section 1-Adoption

An Ordinance to adopt Public Acts 1980, No. 495 (MSA 24.12836), amended by Public Acts 1984, No. 386 is hereby adopted by reference.

Section 2-Authorized Representative

The Township Supervisor shall be the authorized representative to prepare affidavits and all notices pursuant to the Act, including notification to the insurance commission.

Section 3-Repeal Clause

All Ordinances inconsistent with the provisions of the Ordinance are hereby repealed.

ADOPTED: September 8, 1988

EFFECTIVE: October 1, 1988

ORDINANCE NO. 12
Lawrence Township

GRANT TO CLASS COMMUNICATIONS, INC.

An Ordinance granting to Class Communications, Inc. a Michigan Corporation, a non-exclusive franchise to construct, operate, and maintain a cable communication system in Lawrence Township for the purpose of receiving, amplifying and distributing television and radio signals, and other cable communications service within the Township of Lawrence.

THE TOWNSHIP OF LAWRENCE ORDAINS:

1. GRANT OF AUTHORITY

It is hereby granted by the Grantor to the Grantee a nonexclusive right, privilege and franchise to construct, operate, and maintain a cable television system in the Township of Lawrence, County of Van Buren, Michigan for an initial franchise term of fifteen (15) years from the date of passage of this agreement, and a renewal option of two (2) successive five (5) year periods. It is expressly understood and agreed, however, that the grant of this franchise is subject to the provisions of Article VII, Sections 19, 27, and 30 of the Michigan Constitution of 1963, an all applicable statutes.

2. AUTHORITY NOT EXCLUSIVE

The Grantor reserves the right to grant one or more Franchises for similar uses of streets and roadways to any person at any time.

3. GRANTEE'S COMPLIANCE WITH LAW

The Grantee at all times shall comply with all applicable federal, state and local laws, and adhere to all rules and regulations set forth by the Federal Communications Commission (FCC), or its successor agencies.

4. INDEMNITY AND INSURANCE

- a. The Grantor shall not at any time be liable for any injury or damage occurring to any person or property from any cause arising from the use, operation, or construction of the Grantee's cable system.
- b. The Grantee shall indemnify, save and hold harmless the Grantor from all liens, charges, claims, demands, suits or other judgments, and liabilities that are connected in any way with the installation, operation, construction or maintenance of the Grantee's cable system.
- c. The Grantee shall obtain at the time, or within thirty (30) days of construction, and shall keep in force during the entire term of this agreement, and any renewal thereof, a policy of comprehensive insurance as follows:
 1. \$500,000 bodily injury, including death to one person; \$1,000,000 aggregate;
 2. \$100,000 property damage; \$1,000,000 aggregate;

The Grantee shall furnish a certificate of insurance to the Grantor's satisfaction, for the above, with such insurance to carry Grantor as an also or additional insured.

5. GRANTEE'S CABLE SYSTEM

- a. The cable system shall have a minimum capacity of 60 television channels, having 22 channels of programming available to all subscribers from the cable system's initial activation.
- b. The Grantee shall deliver free of charge cable service to all township or county owned building that are situated in the cabled area, where cable has been laid.
- c. The Grantee's cable system shall not interfere in any way with any resident's present television reception.
- d. The cable service shall not be mandatory to any resident, and may be canceled by any subscriber at any time without obligation.
- e. The cable system shall make technical personnel available to respond to all trouble calls within 24 hours.
- f. The cable system shall be technically sound and meet all FCC requirements.
- g. The Grantee shall provide without limitation or charge, and without a monthly fee, one connection to the Township Hall building and to all area school buildings, where cable has been laid.
- h. The Grantee shall make available a toll-free or local telephone number to be answered 24 hours a day to receive customer complaints, and response to complaints will be generally made within one (1) business day (Monday through Friday), of the complaint date.
- i. If Grantee must go overhead with cable, Grantor agrees to allow Grantee the right to trim branches where necessary, to keep lines free and clear for periodic maintenance.
- j. The Grantor will recognize, in case of default, any Financial Institution that Grantor borrows from for the purpose of financing this project, to be holder of this agreement.

6. GRANTEE'S FACILITIES

- a. The Grantee shall move any of its facilities at no charge for the Grantor if the Grantor so requests 72 hours in advance.
- b. The Grantee shall move any of its facilities for the relocation of a house or other purposes not owned by the Grantor and charge the relocating party actual time and material for such relocation.
- c. The Grantee shall restore any property owned by the Grantor or any property owner, which may be disrupted by the installation of the Grantee's cable system solely at the Grantee's own expense.

7. TERMINATION/REVOCAATION

Any breach, violation, or failure to abide by the provisions of this Franchise shall be cause for termination, providing that the Grantor notifies the Grantee of such breach or violation in writing and allows the Grantee ninety (90) days to correct such violation to the satisfaction of the Grantor. It is expressly understood and agreed, however, that this Franchise is subject to the provisions of Article VII, Sections 19, 27 and 30 of the Michigan Constitution of 1963, and all applicable statutes.

8. TAXES

Nothing contained in this Franchise shall exempt the Grantee from any state or local tax, levy, or assessment, which is or may be hereafter authorized by law.

9. TRANSFER OF RIGHTS

The Grantee shall not transfer, authorize, or assign controlling interest of its cable system without the expressed written consent of the Grantor, provided such consent shall not be unreasonably withheld. Transfer of this Franchise to affiliated companies of Class Communications, Inc. is hereby authorized.

10. RATES AND SERVICES

- a. Unless preempted by a federal law or regulatory body, pursuant to federal law, Grantee may, subject to the approval of the Township Board, adjust the rates for cable television service as may be necessary providing all subscribers are notified of any change at least 30 days prior to the effective date of such rate change and the filing of such rate change with the township clerk prior to such rate changes taking effect. Any proposed rate changes shall first be submitted to the Township Board for review and approval or rejection. Upon receipt, thereof, the board shall conduct a hearing thereon at its next regularly scheduled public meeting or at a special meeting scheduled therefore pursuant to statute in such case made and provided. At such hearing, the Grantee may submit such other evidence and testimony as it deems necessary and pertinent to the issue of rate change and the board, prior to making its determination, shall allow any interested township resident to speak thereon and to present such evidence and testimony as such resident has to offer pertinent to the issue. The decision of the township board thereon, shall be final. Any cost for publication or charge for a special meeting shall be paid by the grantee.
- b. The initial rates for cable service shall be as follows:

Basic Service (20 Channels)	\$14.95 per month
Premium Service I	\$9.95 per month
Premium Service II	\$9.95 per month
Initial Installation	\$25.00*
Additional Installation	\$25.00**
Reconnect	\$25.00 each time
Change of Service	\$25.00 each time
Disconnect	NO CHARGE
Converter Fee	\$40.00 deposit
Remote Control	\$1.00 per month

*Initial installation is FREE, if hooked-up within the first ninety (90) days from the system activation.

**There is a \$2.00 charge per month for each additional outlet.

11. In consideration of the grant of this Franchise, the Grantee shall pay to the township, Franchise Fees of five percent (5%) of the gross cable revenues. Such sum shall be paid to

the township no later than February 1, and August 1, of each year, of the preceding six (6) months. The subscriber reports of the Grantee will be made available to the township board and its accountants for review and examination upon demand at any reasonable hour in relation to the collection and payment of the annual Franchise Fee.

12. Class Communications, Inc. shall signify its acceptance of this franchise by filing a written notification thereof with the township board within 30 days from the adoption of this ordinance and approval by the township supervisor. The franchise shall become effective on the date such acceptance is received by the township board.

ADOPTED: April 13, 1989

EFFECTIVE: Immediate

ORDINANCE NO. 13
Lawrence Township

GRANT TO CONSUMERS POWER COMPANY

An Ordinance granting to Consumers Power Company, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services, and to construct, maintain and commercially use electric lines consisting of towers, masts, poles, cross arms, guys, braces, feeders, transmission and distribution wires, transformers and other electrical appliances on, along, across and under the highways, streets, alleys, bridges and other public places, and to do a local gas and/or electric business in the Township of Lawrence, Van Buren County, Michigan for a period of thirty years.

The Township of Lawrence ordains:

Section 1. GRANT, TERM.

The Township of Lawrence, Van Buren County, Michigan, hereby grants to the Consumers Power Company, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," the right, power and authority to lay, maintain and operate gas mains, pipes and services, and to construct, maintain and commercially use electric lines consisting of towers, masts, poles, cross arms, guys, braces, feeders, transmission and distribution wires, transformers, and other electrical appliances on, along, across and under the highways, street, alleys, bridges and other public places, and to do a local gas and/or electric business in the Township of Lawrence, Van Buren County, Michigan, for a period of thirty years.

Section 2. CONSIDERATION.

In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

Section 3. CONDITIONS.

No street, alley, bridge, highway or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when said work was commenced. All of Grantee's structures and equipment shall be so placed on either side of the highways as not to unnecessarily interfere with the use thereof for highway purposes. All of Grantee's wires carrying electricity shall be securely fastened so as not to endanger or injure persons or property in said highways. The Grantee shall have the right to trim trees if necessary in the conducting of such business, subject, however, to the supervision of the highway authorities.

Section 4. HOLD HARMLESS.

Said Grantee shall at all times keep and save the Township free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent construction and maintenance of the structures and equipment hereby authorized. In case any action is commenced against the Township on account of the permission herein granted, said Grantee shall, upon notice, defend the Township and save it free and harmless from all loss, cost and damage arising out of such negligent construction and maintenance.

Section 5. FRANCHISE NOT EXCLUSIVE.

The rights, power and authority herein granted are not exclusive. The right to do a gas business and the right to do an electric business hereunder are several, and such rights may be separately exercised, owned and transferred. Either manufactured or natural gas may be furnished hereunder.

Section 6. EXTENSIONS.

Said Grantee shall from time to time extend its gas and electric systems to and within said Township, and shall furnish gas or electricity to applicants residing therein in accordance with applicable laws, rules and regulations.

Section 7. RATES.

The Grantee shall be entitled to charge the inhabitants of said Township for gas and/or electricity furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate gas and electric rates and rules regulating such service in said Township, are hereby granted. Such rates and rules shall be subject to review and change at any time upon petition therefore being made by either said Township acting by its Township Board, or by said Grantee.

Section 8. REVOCATION.

The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

Section 9. MICHIGAN PUBLIC SERVICE COMMISSION, JURISDICTION.

Said Grantee shall, as to all other conditions and elements of service, both gas and electric, not herein fixed, be and remain subject to reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas or electric service in said Township.

Section 10. EFFECTIVE DATE.

This ordinance shall take effect upon the day after the date of publication thereof, provided, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the Township Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said Township and said Grantee.

ADOPTED: February 8, 1990

ORDINANCE NO. 14
Lawrence Township

AN ORDINANCE RESCINDING AND REPLACING ORDINANCE NO. 14
OF THE LAWRENCE TOWNSHIP COMPILED ORDINANCES

EMERGENCY RESPONSE AND COST RECOVERY ORDINANCE

An Ordinance, To Establish Cost Recovery and Collection of Charges, for any Emergency Response and Demands for Services Involving Hazardous Materials, Hazardous Conditions, Deliberate Fires, and Negligent Fires in the Township of Lawrence and any other area services are rendered by the Lawrence Township Emergency Service District or the Township of Lawrence.

THE TOWNSHIP OF LAWRENCE, VAN BUREN COUNTY, MICHIGAN, ORDAINS:

Section 1: TITLE

This ordinance shall be titled and known as Ordinance No. 14, the *Emergency Response and Cost Recovery Ordinance*. This ordinance replaces in its entirety former Ordinance No. 14, titled *Cost Recovery for Fires Involving Hazardous Materials, Hazardous Conditions, Deliberate Fires and Negligent Fires*, adopted May 12, 1994.

Section 2: PURPOSE AND AUTHORITY

In order to protect the Township of Lawrence from extraordinary expenses resulting from the utilization of the Lawrence Township resources in response to certain public safety or fire emergency incidents and demands for services; the Township of Lawrence authorizes the imposition of charges to recover reasonable and actual costs incurred by the Lawrence Township's Emergency Services (LTES). Such costs shall include, but not be limited to those associated with incident abatement, mitigation, and clean-up including any related third party cost necessary to ensure the safety of the township and its populace.

Any such cost shall be the responsibility of the owner and/or operator of the property, equipment, vehicle, or container causing or contributing to a dangerous or hazardous condition including but not limited to pollution of the environment. All charges shall be paid within 30 calendar days unless approved otherwise.

This ordinance has been adopted and is ordained by the Lawrence Township Board of trustees pursuant to the authority contained in the following public acts as amended; to wit: Public Act 102 of 1990 (MCL 41.806a); Public Act 712 of 2002 (MCL 28.754); and, Public Act 175 of 1927 (MCL 769.1f).

Section 3: DEFINITIONS

The following terms or phrases shall be defined to mean:

- a. Assessable Cost. Those costs for services incurred by the Township in connection with a response to a public safety incident, emergency assistance, false alarms, or requested service. Included, but not limited, are costs of labor and material to the Township (including, without limitation, employee wages, fringe benefits, administrative overhead, cost of equipment, cost of equipment operation, cost of materials, cost of transportation, cost of material disposal, and cost of contracted labor) whether or not the services are provided by the Township or by a third party on behalf of the Township; service charges and interest; attorney's fees, litigation costs, charges, fines, or penalties to the Township imposed by any State, or Federal governmental entities whether a court, administrative agency or otherwise.
- b. Bomb Threats. The verbal or written threat of a bomb or other explosive device which if discharged as threatened would violate Federal, State, or local laws.
- c. Charge Against Person. The cost of an emergency response shall be a charge against the person liable for the costs under this ordinance. The charge constitutes a debt of that person and is collectible by the Township for incurring those costs in the same manner as in the case of an obligation under a contract, expressed, or implied. A person may be an individual, company, corporation, partnership, agency or other entity however described and more fully described as a "Responsible Party" below.
- d. Cost Recovery Schedule. The Lawrence Township Board shall from time to time adopt truck/equipment/labor rate resolutions that set forth a schedule of the costs incurred in making an emergency response. It shall be presumed that the costs listed in this schedule are the true cost incurred by the Township and represent the "costs of an emergency response or requested service." This schedule shall be available to the public from Lawrence Township Clerk or by the Lawrence Township Emergency Service's Fire Chief. If a cost is incurred but not listed it shall be charged as the cost becomes known.
- e. Emergency Assistance. Is a request for emergency medical, fire, civil defense, or other emergency services whether placed by a person however described.
- f. False Alarms. Any automated or manual devices designed to request or summon emergency assistance where a device is activated intentionally or otherwise, in absence of an actual, need for emergency assistance. The most senior person responding to a false alarm shall make the determination that there was no actual need for emergency assistance. Provided, however, a false alarm shall not be deemed to have occurred if (i) caused by an act of God, i.e. lightning storm, (ii) it originates from a motor vehicle alarm system or (iii) has not occurred more frequently than (3) three times in a (6) six month period.
- g. Hazardous Substance or Materials. For the purpose of this Ordinance, hazardous substance and/or materials include, but are not necessarily limited to, a chemical that is a combustible liquid, a flammable gas, an explosive, a flammable or organic peroxide, an oxidizer, a pyrophoric, an unstable reactive or water reactive substance, petroleum and/or petroleum by-products, a flammable solid, a poisonous or infectious material, a radioactive material, a corrosive, or any other material that may be defined as

hazardous by the US Department of Transportation, by the laws of the State of Michigan, or by the local Police agency(s) i.e. controlled substance home-made labs and chemicals (i.e. Meth labs).

- h. Hazardous Material Release. A release of hazardous substance or material shall be any spilling, leaking, pumping, pouring, emitting, emptying, discharging, ejecting, dumping, or disposing of a substance or material into the environment, building, or motor vehicle.
- i. Illegal Fire. A fire set or determined to have been set in violation of Federal, State, or local Law and shall include an arson fire and fire set in violation of a "no-burning" ban, order, or ordinance. An illegal fire does not include an unintentional fire or a fire caused by an act of God (i.e. lightning storm).
- j. Motor Vehicle. A motor vehicle shall include a self propelled or towed vehicle designed or used on the public streets, roads, and highway and for the purpose hereof all trailers or appurtenances attached to any motor vehicle.
- k. Fire Chief. The Chief operational and administrative officer of the Lawrence Township Emergency Services, or in his/her absence, the senior Fire officer in charge at the time of the incident responding.
- l. Lawrence Township Emergency Services. The Emergency Services Department created by the Lawrence Township Board which shall likewise be known by the acronym "LTES".
- m. Public Safety or Emergency Incident. A situation where the Lawrence Township Emergency Services is dispatched to an emergency situation. This may include, but not limited to, false alarm, hazardous material incident, emergency or release, illegal fire, bomb threats, threats to oneself or other, utility line failure, and methamphetamine laboratory (meth lab) or other controlled substance incidents.
- n. Responsible Party. A responsible party is any individual, firm, corporation, association, partnership, commercial entity, consortium, joint venture, government entity or any legal entity that is responsible for a release of a hazardous material, either actual or threatened, or as an owner, controlled substance manufacturer, tenant, occupant, or party in control of the property, onto which or from which hazardous material is released or stored or the owner, possessor or party in control of the hazardous substance immediately prior to the said release, or incident.
- o. Threats to Oneself or Others. Verbal or written threat of physical harm to oneself or another or another's property which if carried out would be a violation of Federal, State, or Local law shall be the basis to charge the person making the threat with the cost incurred in responding.
- p. Utility Line Failure. The disabling of any transmission or service line, cable, conduit, pipeline, wire, or the like used to provide, collect, or transport natural gas or communication or electronic signals (including, but limited to, telephone, computer,

cable television and stereo signals or electronic impulses) if the owner or party responsible for the maintenance of such utility line does not respond within one (1) hour to a request to correct or repair such failure.

Section 4: CHARGES IMPOSED UPON RESPONSIBLE PARTY

When the Lawrence Township Emergency Services responds to a call for emergency assistance in connection with a situation, as described above, actual costs incurred by it in responding to and mitigating such incident shall be imposed upon the responsible party, including but not limited to:

- a. A fee at the prevailing rate for the equipment, materials, supplies, apparatus, and other items required, in the opinion of the officer in command, to respond and be present and/or to stand by at the scene of the emergency response. For each hour or fraction thereof that the equipment, materials, supplies, apparatus, and other items is used or is required at the site by the officer in command, an additional hourly or fraction of an hourly sum shall be charged.
- b. All personnel related costs incurred by the Lawrence Township Emergency Services as a result of responding to and mitigation of emergency response or demands for services. Such costs may include, but are not limited to, wages, salaries, fringe benefits, insurance, and other costs which may be a part of the Lawrence Township usual and customary established cost for personnel incurred at the person's hourly rate. Such personnel related charges shall commence at the time the Lawrence Township Emergency Services personnel is dispatched to the emergency incident and shall continue until all personnel have concluded their related responsibilities.
- c. Other expenses incurred by the Township in responding to and mitigating an emergency incident, including, but not limited to, rental or purchase of machinery, equipment, labor, consultants, legal and engineering fees, and replacement costs related to disposable personal protection equipment, extinguishing agents, supplies, charges for emergency response teams of other governmental agencies, meals, refreshments for personnel working the scene of an emergency incident and all like and similar incidental costs arising from said emergency response and mitigation.
- d. Any and all charges to the Lawrence Township imposed by any local, State, or Federal entities related to the emergency response incident or service provided.
- e. The cost of repair or replacement of any apparatus, equipment, protective clothing, or material damaged, destroyed, consumed as a result of the response and mitigation activities.
- f. Cost incurred in accounting for all hazardous material incident related expenditures to include billing and collections costs, actual attorney fees incurred and all related costs associated with collection of said expenditures including court costs, witness fees, and expert fees incurred in support thereof.

Section 5: COST DETERMINATION

The foregoing described costs shall be determined in accordance with a resolution established by the Lawrence Township Board. Where applicable, the costs shall be the actual expense of the Lawrence Township Emergency Services. With respect to apparatus use charges, the Lawrence Township Board shall establish a use charge for each separate piece of apparatus and equipment. Said use charges shall from time to time be established by further resolution of the Lawrence Township Board. In the event of an emergency response, the most current prevailing apparatus and equipment charge schedule shall be applied. A cost incurred but not listed in a resolution shall not prevent it from being charged if actually incurred.

Section 6: BILLING PROCEDURE

Following conclusion of an emergency response incident meeting the requirements of this ordinance, the Fire Chief or the Chiefs agent shall submit a detailed listing of all known expenses to the Lawrence Township Clerk. The Clerk shall prepare an invoice to the responsible party for payment. The Clerk's invoice shall demand full payment within thirty (30) days from the bill date. Any additional expense that becomes known following the transmittal of the bill to the responsible party shall be billed in the same manner on a subsequent bill to the responsible party. Any amount due that remains unpaid thirty (30) days after the date of billing shall have imposed a late charge thereon at the maximum rate allowed by law until said account shall be paid in full.

Section 7: OTHER REMEDIES

Any failure by the responsible person for the costs of an emergency response, to pay the bill within thirty (30) days of service shall be considered in default. In case of default, the Lawrence Township may commence civil suit to recover the costs plus any additional costs or expenses allowed by law. In addition to the foregoing, the Board may pursue any other remedy or may institute an appropriate action or proceeding in court of competent jurisdiction to collect the charges imposed under this Ordinance together with costs and attorney fees.

Section 8: SEVERABILITY

Should any provision or part of this Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

Section 9: EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its adoption and publication. Upon its effective date, this Ordinance supersedes and repeals prior Ordinances.

ADOPTED: March 14, 2013

EFFECTIVE: April 22, 2013

ORDINANCE NO. 15
Lawrence Township

AN ORDINANCE RESCINDING AND REPLACING ORDINANCE NO. 15
OF THE LAWRENCE TOWNSHIP COMPILED ORDINANCES

STATE CONSTRUCTION CODE ORDINANCE

This ordinance rescinds current Ordinance No. 15 entitled the *State Building, Electrical, Mechanical, And Plumbing Codes*, originally adopted May 20, 1997 and codified March 26, 2005, concerning the same or similar subject matter as herein described and replaces it in its entirety with the following amended language bearing the same number; designates an enforcing agency to discharge the responsibility of Lawrence Township, Van Buren County, Michigan, under the provisions or the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, as amended; and, designates the regulated flood prone hazard areas of Lawrence Township for purposes of participating in the National Flood Insurance Program.

TOWNSHIP OF LAWRENCE

VAN BUREN COUNTY, MICHIGAN,

ORDAINS:

Section 1. Title.

Ordinance No. 15 is hereby rescinded and replaced with this amended Ordinance No. 15 which shall be known and referred to as the *State Construction Code Ordinance*.

Section 2. Agency Designated.

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of 1972 PA 230, as amended, the Building, Electrical, Mechanical, and Plumbing Code Officials of LAWRENCE TOWNSHIP are hereby designated as the enforcing agency to discharge the responsibility of LAWRENCE TOWNSHIP under 1972 PA 230, State of Michigan. LAWRENCE TOWNSHIP assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

Section 3. Code Appendix Enforced.

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of 1972 PA 230, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within LAWRENCE TOWNSHIP.

Section 4. Designation Of Regulated Flood Prone Hazard Areas.

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled Van Buren County, Michigan (All Jurisdictions) #26159CV000A and dated 12/03/2009 and the Flood Insurance Rate Maps (FIRMS) panel numbers of 26159C; 0195C, 0215C, 0310C, 0325C,

0330C, and 0350C and dated *12/03/2009* are adopted by reference and declared to be a part of Section 1612.3 of the Michigan Building Code.

Section 5. Repeals.

All ordinances or any provision thereof inconsistent with this ordinance are hereby repealed.

Section 6: Savings Clause

Should any court of competent jurisdiction declare any portion of this ordinance unenforceable, the remainder of this ordinance shall remain in full force and effect unaffected by the portion that might be so declared to be unenforceable.

Section 7: Effective Date; Publication.

This ordinance shall take effect after notice of adoption through publication as required by law.

This ordinance was adopted by the Lawrence Township Board of Trustees at its regular monthly meeting on the 8th day of October, 2009.

ADOPTED: October 12, 2009

AMENDED: January 22, 2010

ORDINANCE NO. 16
Lawrence Township

LAND DIVISION

An ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant to but not limited to Michigan Public Act 288 of 1967, as amended, and Act 246 of 1945, as amended being the Township General Ordinance statute; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this ordinance.

TOWNSHIP OF LAWRENCE

VAN BUREN COUNTY, MICHIGAN,

ORDAINS:

Section I

Title

This ordinance shall be known and cited as the Lawrence Township Land Division Ordinance.

Section II

Purpose

The purpose of this ordinance is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the municipality by establishing reasonable standards for prior review and approval of land divisions within the municipality

Section III

Definitions

For purposes of this ordinance certain terms and words used herein shall have the following meaning:

A. "Applicant" - a natural person, firm association, partnership, corporation, or combination of any of them that holds an ownership interest in land whether recorded or not.

B. "Divided" or "Division" - the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purposes of sale or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Section 108 and 109 of the State Land Division Act.

C. "Exempt split" or "exempt division" - the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels of less than 40 acres or the equivalent; provided all resulting parcels are accessible for vehicular travel and utilities from existing public roads through existing adequate roads or easements or through areas owned by the owner of the parcel that can provide such access.

D. "Forty acres or the equivalent" - either 40 acres, a quarter-quarter section, containing not less than 30 acres, or a governmental lot containing not less than 30 acres.

E. "Governing body" - the legislative body of a township board of a Lawrence Township.

F. "Municipality" - Lawrence Township, Van Buren County, Michigan.

Section IV

Prior Approval Requirement for Land Divisions

Land in the municipality shall not be divided without the prior review and approval of the municipal assessor, or other official designated by the governing body, in accordance with this ordinance and the State Land Division Act; provided that the following shall be exempted from this requirements:

A. A parcel proposed for subdivision through a recorded plat pursuant to the municipality's Subdivision Control Ordinance and the State Land Division Act.

B. A lot in a recorded plat proposed to be divided in accordance with the municipality's Subdivision Control Ordinance and the State Land Division Act.

C. An exempt split as defined in this ordinance.

Section V

Application for Land Division Approval

An applicant shall file all of the following with the municipal clerk or other official designated by the governing body for review and approval of a proposed land division before making any division either by deed, land contract, lease for more that one year, or for building development:

A. A completed application form on such form as may be provided by the municipality.

B. Proof of fee ownership of the land proposed to be divided.

C. A survey map of the land proposed to be divided, prepared pursuant to the survey map requirements of 1970 Public Act 132, as amended, (MCL 54.211) by a land surveyor licensed by the State of Michigan, and showing the dimensions and legal descriptions of the existing parcel and the parcels proposed to be created by the division(s), the location of all existing structures and other improvements and the accessibility of the parcels for vehicular traffic and utilities from existing public roads.

D. Proof that all standards of the State Land Division Act and this ordinance have been met.

E. The history and specifications of any previous divisions of land of which the proposed division was a part sufficient to establish the parcel to be divided was lawfully in existence as of March 31, 1997, the effective date of the State Land Division Act.

F. Proof that all due and payable taxes or installments of special assessments pertaining to the land proposed to be divided are paid in full.

G. If transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer.

H. Unless a division creates a parcel which is acknowledged and declared to be “not buildable” under Section VIII of this ordinance, all divisions shall result in “buildable” parcels containing sufficient “buildable” area outside of unbuildable wetlands, flood plains and other areas where buildings are prohibited there from, and with sufficient area to comply with all required setback provisions, minimum floor areas, off-street parking spaces, on-site sewage disposal and water well locations (where public water and sewer service is not available), and maximum allowed area coverage of buildings and structures on the site.

I. The fee as may from time to time be established by resolution of the governing body of the municipality for land decision reviews pursuant to this ordinance to cover the costs of review of the application and administration of this ordinance and the State Land Division Act.

Section VI

Procedure For Review of Applications For Land Division Approval

A. Upon receipt of a land division application package, the municipal clerk or other official designated by the governing body shall forthwith submit the same to the municipal assessor or other designated official for decision. The municipal assessor or other designee shall approve, approve with reasonable conditions to assure compliance with applicable ordinances and the protection of public health, safety and general welfare, or disapprove the land division applied for within 30 days after receipt of the application package conforming to this ordinance’s requirements, and shall promptly notify the applicant of the decisions and the reasons for any denial. If the application package does not conform to this ordinance’s requirements and the

State Land Division Act, the assessor or other designee shall return the same to the applicant for completion and refile in accordance with this ordinance and the State Land Division Act.

B. Any person or entity aggrieved by the decision of the assessor or designee may, within 30 days of said decision appeal the decision to the governing board of the municipality or such or the board or person designated by the governing body which shall consider and resolve such appeal by a majority vote of said board or the designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.

C. A decision approving a land division is effective for one (1) year from and after the date of approval, after which it shall be considered revoked unless within such period a document is recorded with the Van Buren County Register of Deeds office and filed with the municipal clerk or other designated official accomplishing the approved land division or transfer.

D. The municipal assessor or designee shall maintain an official record of all approved and accomplished land divisions or transfers.

Section VII

Standards For Approval of Land Divisions

A proposed land division shall be approved if the following criteria are met:

A. All parcels to be created by the proposed land division(s) fully comply with the applicable lot (parcel), yard and area requirements of the applicable zoning ordinance, including, but not limited to, minimum lot (parcel) frontage/width, minimum road frontage, minimum lot (parcel) area, minimum lot width to depth ratio, and maximum lot (parcel) coverage and minimum set-back for existing buildings/structures.

B. The proposed land division(s) complies with all requirements of the State Land Division Act and this ordinance.

C. All parcels created and remaining has existing adequate accessibility, or an area available therefore, to a public road for public utilities and emergency and other vehicles not less than the requirements of the applicable zoning ordinance, major thoroughfare plan, road ordinance or this ordinance. In determining adequacy of accessibility, any ordinance standards applicable to plates shall also apply as a minimum standard whenever a parcel or tract is proposed to be divided to create 4 or more parcels.

D. The ratio of depth to width of any parcel created by the division does not exceed a four to one ratio exclusive of access roads, easements, or non-build able parcels created under Section VIII of this ordinance and parcels added to contiguous parcels that result in all involved parcels complying with said ratio. The depth to width ratio requirements do not apply to a parcel larger than 10 acres and do not apply to the remainder of the parent parcel or tract retained by the proprietor.

The permissible depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right of way to the most remote boundary line point of the parcel from the point of commencement of the measurement.

E. In the absence of applicable zoning or other ordinances providing a different standard, all parcels created by a land division shall comply with the minimum standards:

1. For platted lands, a minimum frontage of 125 feet on a public road or municipally approved private road and for unplatted lands, said minimum shall be 200 feet. In the case of an approved driveway, the point at which the driveway accesses the parcel shall constitute the front of the parcel and shall be subject to an 83 feet front-yard setback, unless a greater setback is required by this or other applicable ordinance.
2. For platted lands, a minimum width at the “building line” of 125 feet and, for unplatted lands, a minimum width of 200 feet at the building line. For purposes of this ordinance, “building line” shall mean a line parallel to the abutting roadway and/or lake frontage at a distance from either no closer than the zoning ordinance’s minimum set back.
3. A minimum lot (parcel) area of 50,000 square feet regardless of whether the land is platted or unplatted.
4. In determining whether or not a lot (parcel) satisfies minimum area requirements, no area shall be ascribed to more than one principle building or use, and no area necessary for compliance with this space requirement for one principle building or use shall be included in calculations for any other building or use.

F. In the absence of applicable zoning or other ordinances providing a different standard, all parcels created by a land division shall comply with the following minimum standards:

1. Where accessibility is to be provided by a proposed new dedicated public road, proof that the county road commission or Michigan Department of Transportation has approved the proposed layout and construction design of the road and of utility easements and drainage facilities connected therewith.
2. Where accessibility by vehicle traffic and for utilities is permitted through other than a dedicated and accepted public road or easement, such accessibility shall comply with the following:
 - a. Where such private road or easement extends for more than 660 feet from a dedicated public road, or is serving or intended to serve more than one separate parcel, unit or ownership, it shall be not less than 66 feet in right of way width, 24 feet in improved roadbed width with at least three feet of improved shoulder width on each side and adequate drainage ditches and necessary culvers on both sides to accumulate and contain surface waters from the road area. It shall further be improved with not less than six inches of a processed and stabilized gravel base over six inches of granular soil, have a grade of not more than seven percent, and

if dead-ended, shall have a cul-de-sac with a radius of not less than 50 feet of improved roadbed for the accommodation of emergency, commercial and other vehicles.

b. Where the private road or easement is 660 feet or less in length, and is serving or intended to serve not more than four separate parcels, units or ownerships, it shall not be less than 40 feet in right of way width, 20 feet in improved roadbed width with at least two feet of improved shoulder width on each side, and adequate drainage ditches on both sides with necessary culverts to accommodate and contain surface waters from the road area. It shall further be improved with processed and stabilized graded and granular soil, have a grade of not more than seven percent, and a cul-de-sac where dead-ended as specified in the prior paragraph. If said private road or easement is serving or intended to serve more than four separate parcels, units or ownership, the right of way and development standards set forth in the prior paragraph shall apply.

c. If accessibility is by a private road or easement, a document acceptable to the municipality shall be recorded with the Van Buren County Register of Deeds and filed with the assessor or designee specifying the method of private road financing of all maintenance, improvements, and snow removal, the apportionment of these costs among those benefited, and the right of the municipality to assess such costs against those properties benefited, plus 25 percent administrative fee, and to perform such improvements in the event of a failure of those benefited to privately perform these duties for the health, safety and general welfare of the area.

d. Any intersection between private and public roads shall contain a clear vision triangular of not less than two feet along each right of way line as measured from the intersecting right of way lines.

e. No private road or easement shall extend for than 1,000 feet from a public road.

f. No private road shall serve more than 25 separate parcels.

G. All public or private roads or driveways, as provided in the following subparagraph, shall have Corrugated Metal Pipe (CMP) or Corrugated Plastic Pipe (CPP) running perpendicular, or at any other such angle as may be necessary, under the roadway or driveway at any point where it crosses a stream, creek or ditch, with the intent being to accommodate the flow of the stream or creek, to provide drainage within the ditch and to support fire and other safety vehicles. Where the roadway or driveway crosses a "low spot" such that the grade of the roadway or driveway would deviate from the seven percent grade required, a CMP or CPP shall be installed of a size sufficient to bring the roadway or driveway back within the required grade.

H. In the event a division under this Ordinance results in a single parcel intended for the construction of a single family home, access to the home may be provided by a "driveway"

developed solely for use and benefit of that parcel. The owners of adjacent parcels and the public at large shall not be allowed to use the driveway for roadway purposes without the owner or owners fully complying with other applicable terms of this Ordinance. When access to a parcel is provided by a driveway restricted to the sole use of that parcel, the driveway shall be 66 feet in width if longer than 660 feet in length and 40 feet in width if less than 660 feet in length. No driveway under this provision shall be longer than 1,000 feet in length. As a condition of approval, the land owner seeking the division agrees to:

1. Fix the location of the driveway through or in reference to a survey.
2. Not move the driveway to a new or different location on the parcel or adjacent parcel without first providing a revised survey and otherwise complying with the terms of this Ordinance.
3. Improve the bed of the driveway to a width of not less than 12 feet if the length of the driveway is less than 660 feet and 16 feet if the length is more than 660 feet.
4. Improve the bed of the driveway with processed and stabilized gravel and granular soil, have a grade of not more than seven percent, provide adequate drainage with, where necessary, ditches and culverts and a cul-de-sac with a radius of not less than 50 feet or a turnaround providing either equal or greater access. If the grade of the driveway appears to be in excess of seven percent, the applicant shall provide the township or its agent with satisfactory proof that the driveway is in compliance.
5. Allow no trees to grow in any part of or in the full width of the driveway, whether 66 feet or 40 feet depending upon the width required above, or to allow any other permanent or ongoing obstruction within the same.
6. Record an affidavit acknowledging that the driveway was created for the sole benefit of the newly divided parcel and that the driveway shall not be used for access by owners of other parcels except upon improvement to public or private roadway standards. The affidavit shall reference the survey and locate the driveway with a legal description.

I. Lots not abutting an improved public or private roadway, but rather being serviced by a driveway alone, shall be 200 feet at the building line and shall comply with the minimum lot size except as to roadway frontage.

J. The foregoing provisions regarding public and private roads shall equally apply to lots created through those provisions of the Land Division Act known as "Assessor's Plats," presently MCL 560.201 – 560.213, except that, where a platted lot does not have direct access to a dedicated public or private road or assured permanent access, an easement over and across a platted lot or a portion of a platted lot within the assessor's plat shall be deemed permissible, in such width and length and upon such terms and conditions as may be approved by the Lawrence Township Board of Trustees.

(Rev. 3/8/12)

Section VIII

Allowance for Approval of Other Land Divisions

Notwithstanding disqualification from approval pursuant to this ordinance, a proposed land division that does not fully comply with the applicable lot, yard, accessibility and area requirements of the applicable zoning ordinance or this ordinance may be approved in any of the following circumstances:

A. Where the applicant executes and records an affidavit or deed restriction with the Van Buren County Register of Deeds, in a form acceptable to the municipality, designating the parcel as “not buildable.” Any such parcel shall also be designated as “not buildable” in the municipal records, and shall not thereafter be the subject of a request to the Zoning Board of Appeals for variance relief from the applicable lot and/or area requirements, and shall not be developed with any building or above ground structure exceeding four feet in height.

B. Where, in circumstances not covered by paragraph A above, the Zoning Board of Appeals has, previous to this ordinance, granted a variance from the lot, yard, ratio, frontage and/or area requirements with which the parcel failed to comply.

C. Where the proposed land division involves only the minor adjustment of a common boundary line or involves a conveyance between adjoining properties, which does not result in either parcel violating this ordinance, any applicable zoning ordinance, or the State Land Division Act.

Section IX

Consequences of Noncompliance with Land Division Approval Requirements

Any parcel created in noncompliance with this ordinance shall not be eligible for any building permits, or zoning approvals, such as special land use approval or site plan approval, and shall not be recognized as a separate parcel on the assessment roll. In addition, violation of this ordinance shall subject the violator to the penalties and enforcement actions set forth in Section X of this ordinance, and as may otherwise be provided by law.

Section X

Penalties and Enforcement

Any person who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by fine of not more than \$500.00 or by imprisonment in the county jail for not to exceed 90 days or by both such fine and imprisonment.

Any person who violates any of the provisions of this ordinance shall also be subject to a civil action seeking invalidation of the land division and appropriate injunctive or other relief.

Section XI

Severability

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

Section XII

Repeal

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, except that this ordinance shall not be construed to repeal any provision in the municipal zoning ordinance, subdivision control ordinance, or building code adopted or hereafter adopted in Lawrence Township.

Section XIII

Effective Date

This ordinance shall take effect 30 days following its publication after its adoption.

ADOPTED: June 12, 1997

AMENDED: March 8, 2012

ORDINANCE NO. 17
Lawrence Township

BLIGHT

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Lawrence Township, Van Buren County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by act 344 of the Public Acts of 1945, as amended.

TOWNSHIP OF LAWRENCE,

VAN BUREN COUNTY, MICHIGAN,

ORDAINS:

Section I

Title. This ordinance shall be known and cited as the Lawrence Township Blight Ordinance.

Section II

Purpose. Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in Lawrence Township by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in said township.

Section III

Causes of Blight or Blighting Factors. It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable areas in the township. On and after the effective date of this ordinance, no person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in Lawrence Township owned, leased, rented, used or occupied by such person, firm or corporation, all of which are declared a public nuisance:

A. In any area within the township, including upon any public or private right-of-way or street or other public property, the parking, storage, abandonment, discarding or permitting to remain on premises, any inoperable, wrecked or partially dismantled motor vehicle or a part of motor vehicle. The absence of a current license plate or the growing of vegetation up and/or around the vehicle or the vehicle otherwise appearing unmoved for a period exceeding 15 days shall be prima facie evidence that the vehicle is inoperable. This section shall not apply to a motor vehicle or part thereof which is entirely enclosed in a building, which is on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of

such business enterprise, or which is lawfully operated as a junk yard, licensed under township ordinance.

B. In any area within the township, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed 15 days. The term “junk” shall include parts of machinery, used stoves or other appliances stored in the open, remnants of woods, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use. This provision shall not prohibit those who heat their homes or other structures on premises from neatly stacking wood for this purpose so long as the quantity is reasonable and no other law is violated in doing so.

C. In any area within the township, the existence of any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable, if a dwelling, nor useful for any other purpose of which it may have been intended.

D. In any area within the township, the existence of any vacant dwelling, garage, or other out-building unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons.

E. In any area within the township, the existence of any partially completed structured unless such structure is in the course of construction in accordance with a valid building permit issued by the township and unless such construction is completed within time allowed by the permit or any express extension thereof.

Section IV

Enforcement.

The provisions of this ordinance shall be enforced by the Township official designated by resolution of the Township Board. The enforcement shall have the discretion to give a warning to an offender prior to issuing a formal municipal civil infraction citation. Lawrence Township’s *Municipal Civil Infraction Ordinance* shall control procedures used in enforcing this ordinance, except as otherwise expressly provided herein.

Section V

Penalties.

a. Any person or entity, however described, that violates any provision of this ordinance shall be deemed guilty of a municipal civil infraction punishable by a civil fine determined in accordance with the following schedule:

1st offense	\$150.00
2nd offense	\$300.00
3rd or subsequent offense	\$450.00

Additionally, a person violating this ordinance shall pay costs, damages and expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction, as

authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, Public Acts 12-26 of 1994, as amended, and other applicable law.

b. In addition to pursuing a municipal civil infraction proceeding pursuant to “subsection a” hereof, the Township may also institute an appropriate action in the court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.

c. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.

d. Any use of land that is commenced or conducted, any activity, or any building, item or structure that is erected, moved, used, placed, reconstructed, razed, extended, enlarged, altered, maintained, or changed, in violation of any provision of this Ordinance is also hereby declared to be a nuisance per se.

e. Each and every day during which a violation of the Ordinance shall exist shall be deemed to be a separate offense.

f. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting, and shall be considered to have violated the provision of this Ordinance for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

Section VI

Severability. The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

Section VII

Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, except that this ordinance shall not be construed to repeal any provision in the municipal zoning ordinance, subdivision control ordinance, or building code adopted or hereafter adopted in Lawrence Township.

Section VIII

Effective Date. This ordinance shall take effect 30 days following its publication after its adoption.

ADOPTED: July 10, 1997.

AMENDED: June 13, 2013

ORDINANCE NO. 18
Lawrence Township

ELECTRIC FRANCHISE
INDIANA MICHIGAN POWER COMPANY

An Ordinance, granting to Indiana Michigan Power Company, its successors and assigns, the right, power and authority to construct, maintain and operate lines for the transmission and distribution of electric energy on, along, across and under the highways, streets, bridges, and other public places and to operate and maintain the same and to transact a local business in the Township of Lawrence, Van Buren County, Michigan.

The Township Board of the Township of Lawrence, County of Van Buren, State of Michigan:

ORDAINS:

Section I.

Indiana Michigan Power Company, its successors and assigns (Hereinafter called "Grantee") are hereby granted the right, privilege, franchise and authority to acquire, construct, maintain and operate in, above, under, across and along the streets, thoroughfares, alleys, bridges and public places (as the same now exist and may hereafter be laid out) of the Township of Lawrence, County of Van Buren, State of Michigan, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances for the purpose of supplying electric energy to said township and the inhabitants thereof, and persons or corporations beyond the limits thereof, for light, heat, power, or any other purposes or purpose for which electric energy is now or may hereafter be used, and the transmission of the same within, through or across said Township of Lawrence, County of Van Buren, State of Michigan, subject to such reasonable regulations as the township board shall prescribe from time to time.

Section II.

All of Grantee's towers, masts, and poles shall be so placed on either side of the highways, streets, alleys and bridges as not to unnecessarily interfere with the use thereof for highway, street, alley and bridge purposes. All of Grantee's wires carrying electricity shall be securely fastened so as not to endanger or injure persons or property in said highways, streets, alleys, and bridges. All work performed by said Grantee in said highways, street, alleys, and bridges shall be done so as to minimize interference with the use thereof, and when completed, the same shall be left in as good condition as when work was commenced. Grantee shall coordinate all new construction projects in advance with the township. Grantee shall have the right to cut or trim trees if necessary in the conducting of such business, subject, however, to the supervision of the highway authorities. When possible, Grantee shall notify the township of any planned tree trimming in advance of such trimming. The supervision of highway authorities shall be limited to the purpose of minimizing interference with the public use of highways, streets, alleys, and bridges.

Said lines and appurtenances shall be constructed so as to interfere as little as possible with the proper lawful use of the streets, alleys, and public places. The installation of all poles, conduits, and appurtenances shall be according to industry standards and shall be subject to such reasonable regulations as shall be prescribed by said township board from time to time.

Section III.

The rights, privileges and franchise hereby granted shall be in force and effect for a period of ten (10) years from the date of the passage of this franchise ordinance, but shall be revocable at the will of this township board by providing not less than sixty (60) days prior written notice.

The rights, privileges and franchise hereby granted shall not be construed to be exclusive and the Township Board of the Township of Lawrence, County of Van Buren, State of Michigan, hereby reserves the power to grant similar rights, privileges and franchises to any other person or persons, firm or firms, corporation or corporations.

Section IV.

Said Grantee shall at all times keep and save the township free and harmless from all loss, costs and expenses to which it may be subject by reason of the negligent construction and maintenance of the structures hereby authorized. In case any action is commenced against the township on account of the permission herein granted, said Grantee shall, upon notice, defend the township and save it free and harmless from all loss, cost, and damage arising out of such negligent construction and maintenance, including litigation costs and actual attorney fees, arising there from.

Section V.

Whenever said Grantee shall begin the erection of any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, alleys, and public places where such work is done in as good condition of repair as before such work was commenced.

Section VI.

Grantee shall notify township whenever Grantee permits any third party to make attachments to Grantee's facilities located in the public right of way.

Section VII.

Grantee shall maintain its membership in "MISS DIG" as established pursuant to Act 53 of the Public Acts of 1974, as amended, MCL 460.701, et seq., and shall conduct its business in conformance with the statutory provisions and regulations promulgated there under. Grantee shall further comply with the rules and regulations applicable to electric service by the Michigan Public Service Commission (the "Commission"), or its successor bodies, to the extent such jurisdiction applies, including but not limited to, compliance with the most current edition of the National Electrical Safety Code approved by the Commission.

Section VIII.

Whenever in this franchise, reference is made to the Township or the Grantee, it shall be deemed to include the respective successors or assigns, of either and all rights, privileges and obligations herein contained by or on behalf of said township, or by or on behalf of said Grantee, shall be binding upon and inure to the benefit of the respective successors or assigns of said Township or of said Grantee, whether so expressed or not.

Section IX.

This franchise shall be accepted by the Grantee within sixty (60) days from the date of the adoption of this ordinance.

Section X.

This franchise shall take effect from and after its adoption, acceptance and publication as required by law.

Dated this 11 day of March, 1999.

Township of Lawrence, County of Van Buren, State of Michigan.

TOWNSHIP OF LAWRENCE

ORDINANCE NO. 19
Lawrence Township

DANGEROUS STRUCTURES

An Ordinance to regulate dangerous structures injurious to life or health; to provide for a means by way of hearings for the making safe or demolition of such dangerous structures; to provide for the appointment of a hearing officer; to provide penalties for the violation of said Ordinance; to provide for assessment of the cost of said making safe or demolition of dangerous structures.

TOWNSHIP OF LAWRENCE

VAN BUREN COUNTY, MICHIGAN

ORDAINS:

Section 1-Title

This Ordinance shall be known and cited as the Lawrence Township Dangerous Structures Ordinance.

Section 2-Intent

It is the intent of this Ordinance to secure the public peace, health, safety and welfare of the residents and property owners of the Township of Lawrence, Van Buren County, Michigan by regulation of dangerous structures injurious to life or health.

Section 3-Definitions

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

1. **Dangerous Structure:** As used in this Ordinance, the term “dangerous structure” means any building or structure residential or otherwise, which has any of the following defects or is in any of the following conditions:
 - a. Whenever any door, aisle, passageway, stairway or other means of ingress or egress does not conform to the State Construction Code enforced in Lawrence Township, it shall be considered that such structure does not meet the requirements of this Ordinance.
 - b. Whenever any portion has been damaged by fire, wind, flood or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Building Code of Lawrence Township for a new building or similar structure purpose or location.

- c. Whenever any portion of a member or appurtenance is likely to fall or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- d. Whenever any portion has settled to such an extent that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by the Building Code of Lawrence Township.
- e. Whenever the building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building or portion thereof, or for other reason, is likely to partially or completely collapse or some portion of the foundation or underpinning is likely to fall or give way.
- f. Whenever for any reason whatsoever, the building or structure or any portion is manifestly unsafe for the purpose for which it is used.
- g. When the building or structure has been so damaged by fire, wind, or flood, or has become so dilapidated or deteriorated so as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harborage for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purposes of committing a nuisance or unlawful or immoral act.
- h. Whenever a building or structure, because of dilapidation, decay damage or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the health officer, or is likely to cause injury to the health, safety or general welfare of those living or working within.
- i. Whenever any building or structure becomes vacant, dilapidated and open at window or door, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- j. Whenever a building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease or rent with a real estate broker licensed under Article 25 of the Occupational Code, Act No 299 of the Public Acts of 1980, being MCL Section 39.2501 et seq., or is not publicly offered for sale by the owner. This section does not apply to either of the following:
 - 1) A building or structure as to which the owner or agent does both of the following:
 - a) Notifies the County Sheriff's Department that the building or structure will remain unoccupied for a period of 180 consecutive days. The notice shall be given by the owner or agent not more than 30 days after the building or structure becomes unoccupied.
 - b) Maintains the exterior of the building or structure and adjoining grounds in accordance with this Ordinance and the Township Building Code.
 - 2) A secondary dwelling of the owner that is regularly unoccupied for a period of 180 days or longer each year, if the owner notifies the County

Sheriff's Department that the dwelling will remain unoccupied for a period of 180 consecutive days or more each year. An owner who has given the notice prescribed by this subparagraph shall notify the Sheriff's Department not more than 30 days after the dwelling no longer qualifies for this exception. As used in this subparagraph, "secondary dwelling" means a dwelling such as a vacation home, hunting cabin or summer home, that is occupied by the owner or a member of the owner's family during part of the year.

2. **Enforcing Agency:** means Lawrence Township, through the Township Building Official and/or such other officials or agency as may be designated by the Township Board to enforce this Ordinance.
3. **Township Building Code:** means the State of Michigan Building Code administered and enforced in Lawrence Township pursuant to the State Construction Code Act, Act No. 230 of the Public Acts of 1972 as amended, being MCLA Section 125.1501 et seq.

Section 4-Prohibition

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

Section 5-Notice

- a. When the whole or any part of a building or structure is found to be in a dangerous condition, the Township Building Inspector shall issue a notice of the dangerous condition.
- b. Such notice shall be directed to the owner of or party in interest in the building in whose name the property appears on the last local tax assessment record of the Township.
- c. The notice shall specify the time and place of a hearing on the condition of the building or structure at which time and place the person to whom the notice is directed shall have the opportunity to show cause why the building or structure should not be ordered to be demolished, or otherwise made safe, or properly maintained.
- d. All such notices required by this Ordinance shall be in writing and shall be served upon the person to whom they are directed personally, or in lieu of personal service, may be mailed by certified mail (return receipt requested), addressed to such owner or party in interest at the address shown on the tax records, at least ten (10) days before the date of the hearing described in the notice. If any person to whom a notice is directed is not personally served, in addition to mailing the notice, a copy thereof shall be posted upon a conspicuous part of the building or structure.

Section 6-Hearing Officer; Duties

- a. A hearing officer shall be appointed by the Township Board to serve at the pleasure of the Board.

- b. The Building Inspector shall file a copy of the notice of the dangerous condition of any building with the hearing officer.
- c. At any hearing held, the hearing officer shall take testimony of the building inspector, the owner of the property, and any other interested party. Upon the taking of such testimony, the hearing officer shall render his decision either closing the proceedings or ordering the building to be demolished, or otherwise made safe, or properly maintained.
- d. If it is determined by the hearing officer that the building or structure should be demolished or otherwise made safe, or properly maintained, he shall so order, fixing a time in the order for the owner or agent to comply therewith. If the building is a dangerous building under Section 3 of this Ordinance, the order may require the owner or agent to maintain the exterior of the building and adjoining grounds owned by the owner of the building including, but not limited to, the maintenance of lawns, trees and shrubs.
- e. If the owner or party in interest fails to appear or neglects or refuses to comply with the order, the hearing officer shall file a report of his findings and a copy of his order with the Lawrence Township Board and request that the necessary action be taken to demolish, or otherwise make safe, or properly maintain the building or structure. A copy of such findings and order of the hearing officer shall be served on the owner or party in interest in the manner prescribed in Section 5.

Section 7-Hearing

Upon receiving the findings and order of the hearing officer, the Lawrence Township Board shall fix a date for a hearing, reviewing the findings and order of the hearing officer and shall give notice to the owner or party in interest in the manner prescribed in Section 5 (d) of the time and place of the hearing. At the hearing the owner or party in interest shall be given the opportunity to show cause why the building or structure should not be demolished, or otherwise made safe, or properly maintained, and the Township Board shall either approve, disapprove or modify the order for demolishing, making safe, or properly maintaining of the building or structure. If the order is approved or modified, the owner or agent shall comply with the order within sixty (60) days after the date of the hearing under this section.

Section 8-Work done by Township

- a. *Implementation.* In the event of the failure or refusal of the owner or party in interest to comply with the decision of the Lawrence Township Board, the Township Board may, in its discretion, contract for the demolition, making safe, or maintaining the exterior of the building or structure or grounds adjoining the building or structure.
- b. *Reimbursement.* The cost of the demolition, making the building safe, or maintaining incurred by the Township to bring the property into compliance with this Ordinance shall be reimbursed to the Township by the owner or party in interest in whose name the property appears.
- c. *Notice of costs.* The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified by the

Township of the amount of the costs of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building, by first class mail at the address shown on the Township records.

- d. *Lien for unpaid costs.* If the owner or party in interest fails to pay the costs within thirty (30) days after mailing of the notice of the amount of the cost, the Township shall have a lien against the real property for the costs incurred by the Township to bring the property into compliance with this Ordinance. The lien shall be reported to the assessing officer of the Township who shall assess the costs against the property on which the building or structure is located. The lien shall not take effect until notice of the lien has been filed or recorded as provided by law. The lien for the costs shall be collected in the same manner in all respects as provided for property tax liens under the General Property Tax Act, Act No. 206 of the Public Acts of 1893, as amended, being Section MCLA 2111.1 et seq.
- e. *Court Judgment for unpaid costs.* In addition to other remedies under this Ordinance, the Township may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure. The Township shall have a lien on the property for the amount of a judgment obtained pursuant to this subsection. The lien provided for in this subsection shall not take effect until notice of the lien is filed and recorded as provided by law.
- f. *Enforcement of Judgment.* A judgment in an action brought pursuant to Subsection 8 (e) of this Ordinance (section) may be enforced against assets of the owner other than the building or structure.
- g. *Lien for Judgment.* The Township shall have a lien for the amount of a judgment obtained pursuant to Subsection 8 (e) of this Ordinance (section) against the owner's interest in all real property located in this state that is owned in whole or in part by the owner of the building or structure against which the judgment is obtained. A lien provided for in this subsection does not take effect until notice of the lien is filed or recorded as provided by law.

Section 9-Misdemeanor

A person who fails or refuses to comply with an order approved or modified by the Township Board under section 7 of this Ordinance within the time prescribed by the section is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days and/or a fine of not more than \$500.00.

Section 10-Securing Premises

An owner or party in interest aggrieved by any final decision of the Lawrence Township Board may appeal the decision or order to the Circuit Court for the County of Van Buren by filing a petition for an order of superintending control within 20 days from the date of such decision.

Section 11-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 12-Effective Date

This Ordinance shall take effect 30 days after publication as required by law.

ORDINANCE NO. 20
Lawrence Township

LAWRENCE TOWNSHIP
CODE OF COMPILED ORDINANCES

An Ordinance amending, repealing, revising and rearranging all Ordinances of the Township of Lawrence into a two volume set of compiled ordinances, codified pursuant but not limited to the terms of Michigan Public Act 78 of 1989. The Township of Lawrence, Van Buren County, Michigan, hereby ordains:

1. **Title.** This ordinance shall be known as and cited as Ordinance No. 20, the “Lawrence Township Code of Compiled Ordinances.”
2. **Purpose.** This ordinance is intended to consolidate into a two volume set all ordinances of the Township of Lawrence as originally adopted or as later amended; to provide ease of access to local rules and regulations; and, to provide a numbering scheme for the compilation of existing ordinances as now or hereafter amended or as subsequently adopted by the Lawrence Township Board.
3. **Ordinances Repealed.** The following ordinances, listed by present name and number, shall be and are hereby are repealed.
 - a. Ordinance Nos. 1, 28, 31, 32, 33, 37, 38 and 39: All zoning ordinances and amendments thereto effective prior to November 9, 2002, are repealed and were replaced by current Zoning Ordinance No. 44, the later being renumbered herein as Ordinance No.1.
 - b. Ordinance Nos. 5, 23, and 27: All ordinances designating agencies to enforce the state construction code or any part thereof or similar state law were replaced and superseded by current Zoning Ordinance No. 34, the later being renumbered herein as Ordinance No.15.
4. **Ordinances Combined.** Ordinances were adopted previously and assigned separate numbers when the intent was merely to amend an existing ordinance. The following amendatory ordinances are combined:
 - a. Ordinances Nos. 2, 19 and 43. Ordinance No. 2, entitled “Junk Yards,” shall continue, as amended by Ordinances 19 and 43.
 - b. Ordinance No. 35 and Ordinance No. 40. The “Land Division” ordinance, former ordinance No. 35 as amended by Ordinance 40, is renumbered herein as Ordinance No. 16.
 - c. Ordinance No. 36 and Ordinance No. 41. The “Blight” ordinance, former ordinance No. 36 as amended by Ordinance 41, is renumbered herein as Ordinance No. 17.

5. **Ordinances Re-titled.** Present Ordinance No. 34 titled “Mechanical Codes” shall be re-titled “State Building, Electrical, Mechanical and Plumbing Codes” and, as provided herein, shall be renumbered as Ordinance No. 15.
6. **Ordinances Renumbered.** All those ordinances which have not been repealed or combined shall be renumbered and referred to by name or title, using the following name and numbering system:

<u>Ordinance No.</u>	<u>Name/Title</u>	<u>Ordinance No.</u>
<u>as Reassigned</u>		<u>Previously</u>
<u>Assigned</u>		
1	Zoning	44
2	Junk Yards	2
3	Boat Speeds on Reynolds Lake	9
4	Lawrence Economic Development Corporation	10
5	Division of Lots	13
6	Regulation of Outdoor Assemblies	15
7	Establishing Fiscal Year	17
8	Electric Franchise	18
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7. **Adoption of Additional Ordinances.** Should the Lawrence Township Board adopt additional ordinances, each shall be assigned the next consecutive number after the last then presently effective ordinance. Page numbers shall be assigned consistent with the numbering scheme used in the two volume set of compiled ordinances published pursuant to this ordinance.
8. **Amendment of Existing Ordinances.** When one of the compiled ordinances is modified through the adoption of an amendment, the language of the amending ordinance shall be immediately included in the existing ordinance, adding, deleting or modifying ordinance language as may be necessary. An ordinance merely amending an existing ordinance shall be given no separate number but

shall be entitled “An Ordinance Amending Ordinance No. ____ of the Lawrence Township Compiled Ordinances,” providing the ordinance number as appropriate. Any such amendatory ordinance shall be identified by title and the date it was adopted by the Lawrence Township Board but shall not be listed in the table of contents as a separate ordinance.

9. **Removal of References to Repealed Ordinances.** Ordinances adopted previous to this ordinance make or may make reference to other ordinances, which have been repealed or combined. To avoid confusion, references to these previously repealed ordinances shall be deleted from the ordinances compiled pursuant to the terms of this ordinance. The deletion of these references shall in no way undermine or impact the effectiveness of those ordinances, which expressly continue in effect. The date a prior ordinance was originally adopted or amended shall be placed at the end of any ordinance, which continues in effect.
10. **Zoning Ordinance Amendments.** Zoning Ordinance No. 44, renumbered as compiled ordinance No. 1 herein, became effective on November 9, 2002. The Lawrence Township Board adopted amendments to the Zoning Ordinance by resolutions dated November 13, 2003, October 14, 2004 and February 10, 2005, all of which were previously published as provided by law. Ordinance No. 44 compiled and renumbered pursuant to this ordinance as Ordinance No. 1 shall include these Zoning Ordinance amendments.
11. **Publication.** This ordinance shall be published as provided by law. Copies of the proposed zoning ordinance shall be made available for review at the Lawrence Community Services Building, 205 N. Paw Paw Street, Lawrence, Michigan, on Tuesdays, Thursdays, and Fridays between 8:00 a.m. and 4:30 p.m. or at the Lawrence Branch of the District Library during normal business hours.
12. **Effective Date.** This ordinance shall take effect 30 days following its publication after its adoption.

ADOPTED: March 26, 2005

EFFECTIVE: May 9, 2005

ORDINANCE NO. 21
Lawrence Township

HILL CEMETERY MILITARY PLAT

An Ordinance to establish a plat of lots within Hill Cemetery devoted to the burial of military personnel and their respective spouses; to regulate the size, use and transfer of lots within the Military plat, to establish rules regarding eligibility; to provide a schedule of expenses; and to provide penalties for the violation of said Ordinance.

TOWNSHIP OF LAWRENCE

VAN BUREN COUNTY, MICHIGAN

ORDAINS:

Section 1 – Title

This Ordinance shall be known and cited as the Hill Cemetery Military Plat.

Section 2 – Intent

It is the intent of this Ordinance to recognize that a portion of Hill Cemetery has been platted and is reserved for military personnel found eligible under the terms of this ordinance. It is the further intent of this ordinance to provide special regulation of the use of lots within the plat.

Section 3 – Size, Use and Transfer of Lots within the Military Plat

The plat will be an area for approximately two hundred (200) grave lots, to be established and recorded in single grave lots as follows:

1. Each single grave lot – 3.5 feet (3’ 6”) by 11 feet or 38.5square feet.
2. Each grave shall have: one full burial, one full burial plus one cremation interment, or two cremation interments.
3. A person eligible to purchase a lot within the military plat may not purchase more than one for him or her self.
4. Maximum interment is two per grave lot, with a single headstone.

Headstones are to be military upright granite-type only. Only accepted military type markings shall be allowed on the headstones each of which shall be approved by the Township Sexton in advance of placement to ensure uniformity in size, shape, color, style and information included. Any marker which is not uniform and has not been pre-

approved is subject to removal without notice. Headstones will be set by the Township Sexton upon a cement foundation provided by the Township. Each grave lot shall have a single headstone.

Planting of shrubbery and/or trees is strictly forbidden in the military plat without the express written consent of the Lawrence Township Board. Yucca plants and additional landscaping of any type is strictly forbidden and will be removed. Flowers or other decorative items left on the grave lots will become the property of the Lawrence Township Board of Trustees after seven days and any such items that are deemed to be non-aesthetically pleasing will be removed by the Township Sexton at his or her discretion.

Purchase of lots in the military plat will require a Form DD-214 or other official document showing the status of the military personnel's departure from the military and the following:

1. Lots will be sold on a first come first serve basis to or on behalf of qualified military personnel who will receive a Certificate of Deed for a lot in the military plat issued by the Township Clerk. No more than one lot shall be sold to any one qualified person, one for him or herself.
2. Lots will be filled from the center of the row outward from side to side based on the availability at the time of death upon presentation of a Certificate of Deed. An entire row shall be filled before using any lot in a succeeding row. The row closest to the "War Memorial" shall be filled first.
3. All lot sales are final and non-refundable for sales made after May 8, 2008. Lots may not be transferred to person(s) who are not qualified for burial in the military plat. All transfers must be approved by the Township.
4. A Certificate of Deed will not be provided until payment is received and proof is submitted showing that the person to be buried is eligible.
5. In the event the spouse precedes the eligible veteran in death, the following options are available:
 - a. Spouse is buried in the Veteran's plat with full burial. Veteran must purchase military headstone with information for both veteran and spouse on the stone (veteran's death date to be added at such time as veteran becomes deceased). At time of veteran's death, a cremation internment shall occur.
 - b. Spouse is buried in the Veteran's plat with cremation internment. Veteran must purchase military headstone with information for both veteran and spouse on the stone (veteran's death date to be added at such time as veteran becomes deceased). At time of veteran's death, a cremation internment or full burial shall occur.

Section 4 – Eligibility

In order to be eligible for burial in the military plat, a person:

1. must not have died or been discharged under “dishonorable” circumstances, as determined by military officials; and,
2. must:
 - a. be or have been an active duty member of the United States Military; or
 - b. be the deceased spouse of eligible military personnel or be the surviving spouse of military personnel buried within the plat.

Prior to burial, a person’s eligibility shall be determined using evidence supplied by decedent and/or decedent’s family. Substantial misrepresentations affecting eligibility, whether made negligently or otherwise, shall be deemed just cause for disinterment. Upon interment of either eligible military personnel or his or her spouse, the next available lot shall be used.

Section 5 – Schedule of Expenses

The cost of a lot in the military plat will be as follows until amended by the Lawrence Township Board.

Each grave lot will be \$2,600.00 which includes perpetual care.

Citizens who meet the military requirement set forth in this ordinance and one or more of the following shall receive a \$2,300.00 credit toward the purchase of the lot.

- A. graduated from Lawrence Public Schools; and/or
- B. have resided in the Lawrence Public School District for five or more years; and/or
- C. at the time of death, having a Lawrence (“674”) telephone exchange or being a member of the Lawrence Post of the American Legion (Post 174).

Citizens who meet the military requirement set forth in this ordinance and died as a result of military operations, shall receive the lot, and lot opening and closing free of charge.

Grave opening and closing costs in the military plat will be as follows until amended by the Lawrence Township Board.

1. \$1,600.00 on weekdays.
2. \$2,000.00 on weekends (after 4:00 p.m. on Friday and before 9:00 a.m. on Monday).

Citizens who meet the above requirements for a credit on the purchase of a lot shall receive a credit of \$1,400.00 on weekdays and \$1,800.00 on weekends toward the opening and closing costs.

Transfer of lots to other qualified persons will require a \$100.00 transfer fee.

Section 6 – Forfeiture of Vacant Lots

Cemetery lots sold within the Military Plat after the effective date of this ordinance which remains vacant or unused for 25 years from the date of sale shall automatically revert to the township upon the happening of one of the following events.

1. The owner of record does not respond to a notice sent by the Township Clerk advising that the 25 years has elapsed since sale without the lot being used and further advising that should the Clerk not receive a written request to retain rights in the lot, ownership of the same shall revert to the township 60 days after the notice is first sent to the owner's last known address.
2. In the event an heir of the owner of record should respond to the written notice, rights in the lot shall be retained by the heir if he or she is eligible to be buried in the Military Plat under the terms of this ordinance. The heir may immediately request transfer of the lot to a person who is eligible to be buried within the plat and if not done within 60 days of being notified of this right by the clerk, then all rights in the same shall revert to the township.

Section 7 – Penalties

Any person, firm or corporation who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine of up to \$500.00 or imprisonment in jail for up to 93 days or both. Each day that a violation continues to exist shall be a separate offence. A criminal prosecution shall not prevent civil proceedings for abatement and termination of the activity found to be in violation of this ordinance.

Section 8 – Severability

The provisions of this ordinance are declared severable and should any provision, section or part be found invalid by a court of competent jurisdiction, such decision shall affect only the particular provision, section or part involved in the decision and shall not affect or invalidate the remainder of the ordinance which shall remain in full force and effect. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 9 – Effective Date

This Ordinance shall take effect 30 days after publication as required by law.

ADOPTED: July 14, 2005

EFFECTIVE: August 29, 2005

AMENDED: May 8, 2008; July 11, 2013

ORDINANCE NO. 22
Lawrence Township

LAWRENCE TOWNSHIP EMERGENCY SERVICES

An ordinance to provide that the Lawrence Township Board may establish the Lawrence Township Emergency Services (LTES); provide for the basic organizational structure of this Department; delegate broad management authority and responsibility to the Department Chief; provide standards of accountability for the Chief and other Department personnel to the Township Board; and repeal any parts or portions of ordinances inconsistent herewith.

THE TOWNSHIP OF LAWRENCE, VAN BUREN COUNTY, MICHIGAN,
ORDAINS:

Section 1: Scope, Purpose and Intent

This ordinance is adopted pursuant to the authority granted the Township Board under the Police and Fire Protection Act, Public Act 33 of 1951, as amended, (MCL 41.801, *et seq.*).

The purpose of this ordinance is to provide that the Lawrence Township Board shall hereby establish the Lawrence Township Emergency Services (LTES) (referred to here after as the “Department”); to establish jurisdiction and authority of the Township Board over personnel selection; to establish authority to adopt rules and regulations for the conduct of personnel and maintenance of equipment; to employ and appoint a Chief, officers and service members; and, to prescribe the powers and duties of Department volunteers and employees.

Section 2: Geographic Coverage Area

The Department shall be responsible for providing services to the entire geographic boundaries of Lawrence Township, including Section 37 (formerly a portion of Arlington Township), and named sections of other local units of government named in and protected by contract approved by the Lawrence Township Board, the additional area presently being protected is as follows: Sections 25 through 28 of Arlington Township; that part of Sections 29 and 30 of Arlington Township lying south of 42nd Avenue; and, Sections 31 through 36 of Arlington Township.

The Department shall restrict its delivery of emergency services to the geographic area described in this section and to other jurisdictions with which the Township Board has negotiated and entered into mutual aid agreements.

Section 3: Scope and Level of Services

Consistent with appropriations and budget authorization, the Department is authorized to provide to the citizens of all covered areas, the following programs and services:

1. Fire Suppression
2. Fire Education
3. Emergency Medical Education
4. Fire Prevention and Code Enforcement
5. Emergency Medical Services at the EMT, basic level
6. Other Emergency Services, including but not limited to, cold water rescue hazardous material operations and vehicle extrications

Section 4: Basic Organizational Structure

The Lawrence Township Emergency Services (LTES) shall be actively supervised and managed by a Department Chief appointed by the Township Board. The Chief, to be qualified, shall be trained and certified at least as a Fire Officer III and an EMT, basic level, unless lesser qualifications are expressly approved by the Township Board. To ensure continuity of command and appropriate incident supervision, the Township Board authorizes the following officer positions which shall be subordinate to the Chief, and which creates the following chain of command in descending order of authority:

1. Fire Assistant Chief
2. Medical Assistant Chief
3. Captain
4. Lieutenant
5. Safety Officer(s)
6. Service Members

With the advice and assistance of the Chief, the Township Board shall develop and approve job descriptions for each of these positions. Job descriptions in use on the effective date of this ordinance shall continue until changed by the Township Board except the Chief, in addition to any other job requirement, shall be qualified as provided in this section. With the advice of the Chief, the Township Board shall fill subordinate positions. All Officers in the chain of command, including Service Members, shall be trained as required by this ordinance and the rules and regulations of the Department.

Officers and service members shall be selected based on experience, training, and qualifications, and who would, in the Township Board's judgment and at its discretion, best perform the duties associated with providing emergency services to the citizens of Lawrence Township and any other geographical area covered by agreement with the approval of the Lawrence Township Board.

Temporary officers may be appointed by the senior officer present at any emergency to ensure the continuity of the chain of command. Such temporary appointments shall terminate when the officer with the given responsibility becomes available.

Each command officer shall be responsible that subordinates carry out orders. Service members shall perform orders consistent with this ordinance and the rules and regulations of the Department.

Section 5: Department Finances

The Township Board shall approve an annual appropriation for the operation and maintenance of the Department and its equipment, and for that purpose shall have the authority to use general funds, to initiate the creation of a special assessment district and levy assessments, sell bonds, establish user fees, or raise revenues in any other manner provided for under law for the operation and maintenance of the department; it shall provide for payment of any debts incurred incidental to its continued operation; it shall purchase necessary equipment, and/or construct public buildings for uses incidental to the maintenance and operation of a department devoted to providing emergency services to its community.

Section 6: Department Rules and Regulations

The Township Board shall establish rules and regulations for the operations of the department and the care of the equipment through adoption of general policies, and the Chief shall prepare and enforce specific procedures consistent with such policies.

Section 7: Chief Duties

The Township Board shall appoint a LTES Chief who shall be the chief administrative officer of the Department. The Chief shall be accountable to the Township Board for the efficient and effective operation of the Department, and for the Department's compliance with all state laws and administrative rules, township ordinances and policies. The Chief shall serve at the pleasure of the Board.

The Chief shall develop written administrative rules to increase the efficiency and effectiveness of the Department, including pre-planning and post-incident critiques, regulations, as well as assigning and scheduling of personnel, and shall submit to the Township Board plans for the long-range needs of the Department.

The Chief shall be familiar with state and federal laws that impact on Department operations, and shall develop written rules and regulations, and issue orders consistent with applicable federal and state laws and administrative rules. Noncompliance of applicable state and federal laws and regulations shall be promptly reported to the Township Supervisor. In the event the Township Supervisor is also either the Fire Assistant Chief or the Medical Assistant Chief, any such report shall be made to the Township Clerk.

The Chief shall maintain a current copy of MIOSHA (Michigan Occupational Safety and Health Act) General Industry Safety Standards and shall develop written policies and

procedures to ensure compliance. The Chief shall promptly inform the Township Board of any procedure or equipment that is not in compliance with any MIOSHA General Industry Safety Standard and shall recommend board actions to achieve compliance.

The Chief shall review all personnel and operating problems that are not resolved at the Department level with the Township Supervisor or with the Township Clerk should the Supervisor also serve as either an Assistant Chief. The Chief shall also report Department activities to the Township Board monthly. A written report on Department activities shall be filed annually with the Township Board.

As needed, the Chief shall notify the Township Supervisor (or with the Township Clerk should the Supervisor also serve as either an Assistant Chief) of major problems or issues that require Board action. When such problems must be resolved immediately and it is impractical or will endanger the health, safety or welfare of the Township or its residents to wait until the next Board meeting to resolve the issue, the Township Supervisor (or with the Township Clerk should the Supervisor also serve as either an Assistant Chief) shall be empowered to resolve the issue or problem, subject to the subsequent report of the action to the Township Board.

The Chief shall hold regular Department informational and training meetings. The Chief may incur expenditures against the Department budget as appropriated by the Township Board. The Chief will monitor the unencumbered balances remaining in the Department budget and shall make timely recommendations for budget amendments at such time as the need for such amendments becomes known. The Department's expenditures shall not exceed the amounts appropriated. Capital outlay purchases shall be expressly approved by the Township Board upon roll call vote at a regular meeting or a special meeting called for purposes of approving the expenditure.

The Chief shall also be responsible for the following:

1. Supervise the extinguishment of all fires that endanger the health, safety and welfare of residents of Lawrence Township and those geographical areas covered by agreement with the Township Board.
2. Enforce Township burning ordinances.
3. Ensure that all personnel are trained and qualified for the duties that they are expected to fulfill.
4. Ensure that fire prevention programs are conducted.
5. Ensure that qualified personnel conduct fire inspections and that the fire prevention code adopted by the Township Board is fairly and effectively enforced.

6. Ensure that all department equipment and buildings are properly maintained and in good working order.
7. Ensure that all department personnel comply with departmental and board rules, regulations and policies.

Section 8: Personnel

Applicants for vacant positions shall be of good character, possess a good driving record, and shall be screened by a physician of the Township Board's choice and at Township expense. The physician's examination shall determine if the applicant is physically fit and have the ability to perform assigned emergency operations. The physician will identify pre-existing physical conditions that would preclude the applicant from performing the duties associated with services performed by the Department. To prove "good character," an applicant shall submit to a drug screen and consent to a review of criminal records. To prove possession of a "good driving record," an applicant shall permit a review of his or her driving history. The applicant shall sign whatever release as may be necessary to permit the Chief to obtain the required information.

All personnel shall serve an initial probationary period for a period of not less than six (6) months. As provided by Township rules and regulations adopted for use by the Department, the probationary period may be extended.

Probationary status shall continue, at a minimum, until the personnel successfully completes the State of Michigan's Firefighter I or Emergency Medical Technician examinations.

At the conclusion of the minimum probationary period, the Chief may recommend that probationary personnel meeting all Department qualifications be given permanent membership status by the Township Board. The Chief shall also recommend to the Township Board the dismissal of personnel who do not or cannot meet the qualifications of a Department member and reasons for such recommendation.

Probationary service members shall be entitled to compensation and benefits as determined by the Township Board and shall be restricted to perform only those duties for which he or she has been specifically trained and qualified. Probationary service members shall not use emergency signal devices on their private vehicles.

Section 9: Training

The Chief shall develop a regular schedule of training classes, including an attendance requirement for all Department personnel. The schedule shall specify the type, amount and frequency of training to be provided to service personnel necessary to assure that all employees are adequately trained to properly handle the inherent risks of fire fighting and medical emergencies. The Chief shall ensure that a record of all personnel's participation

and skill mastery is maintained. Personnel shall be certified before they are permitted to directly perform emergency operations. The Chief shall ensure that qualified individuals deliver in-house instruction whenever possible.

The Chief shall require that all personnel have achieved and maintained all certifications required by state or federal law or rule to perform fire suppression, emergency medical services, or other services performed by the Department.

Section 10: Safety

The Chief shall be familiar with the provisions of federal and state laws and administrative rules related to employee safety and health regulations, and shall develop written procedures to ensure compliance.

The Chief shall establish and implement written procedures for emergency operations in compliance with current MIOSHA regulations. The written procedures shall include all of the following:

1. Compliance with the National Incident Management System (NIMS) or other nationally recognized incident management system
2. A personnel accountability system that will be implemented at each emergency
3. Applicability to all employees who are operating at the emergency
4. Initial training and annual refresher training in emergency operations and the incident management system
5. Procedures that are in accordance with the “two in/two out” rules as found in the provisions of current MIOSHA standards
6. A trained employee shall function as the incident commander at each emergency

Section 11: Disciplinary Procedure

Violations of this ordinance, other Board or Department rule or regulation, or a conviction of a felony shall subject any personnel involved to disciplinary proceedings.

When the Chief has good cause to believe that a violation of this ordinance, Board rules or Department regulations has occurred, the Chief shall document the violation and provide a written copy of the allegations to the alleged violator. The written allegations shall state the rule that is alleged to have been violated, the nature of any disciplinary action taken, and the consequences of any further recurrences.

The Chief may take disciplinary action, consistent with this ordinance, which may range from a reprimand, suspension or demotion or a combination of any of these sanctions, on his own authority depending on the Chief's consideration of the following five factors. If the alleged violation is deemed sufficiently serious to warrant discharge, the Chief shall suspend the Department member until the Chief recommends dismissal to the Township Board and the Board takes action consistent with this ordinance. The Chief shall consider the following in taking disciplinary action:

1. Seriousness of the violation
2. Consequences to the safety of others by the violation
3. Potential harm to the Department or the Township
4. Prior record of the individual
5. The degree of wantonness, if any, of the act

Dismissal of a Department member shall be a decision of the Township Board upon the recommendation of the Chief following a hearing before the Township Board. Such hearing may be conducted in closed session if requested by the Department member who is subject to discharge.

If the Chief takes disciplinary action less than recommending discharge to the Township Board, the alleged violator may appeal the Chief's decision to a panel of service members selected by the membership for this purpose at the beginning of each calendar year. The Chief may choose to abide by the decision of the panel or leave undisturbed the original discipline as the Chief finds most appropriate. All disciplinary decisions of the Chief shall stand and remain effective unless and until reversed by the Chief on the Chief's own counsel, by the Chief upon recommendation of the Department panel whose counsel the Chief chooses to accept or the Township Board, which shall affirm, deny, or modify the disciplinary action taken by the Chief.

The Township Board may, on its own initiative, bring disciplinary charges against any Department member. Disciplinary action initiated by the Township Board shall follow the above procedures, except that the responsibilities designated above to the Chief shall be performed by the Township Board.

In addition to such administrative rules that may be promulgated by the Chief, theft of property owned by the Township, or theft of property committed while performing duties of Department member, or other actions that are violations of state or federal penal codes, shall be cause for dismissal.

Service members shall not respond to emergencies, meetings or training sessions while under the influence of alcohol or any controlled substances. A violation of this provision shall subject the offender to discipline as deemed appropriate by the Chief under all the relevant circumstances.

Section 12: Compensation

Compensation to service members shall be in such amounts as may be determined from time to time by the Township Board. The Department shall keep accurate records that indicate the amount of compensable time served by all personnel. The time records shall be submitted quarterly to the Township Board for payment, and all such time slips shall be reviewed and approved by the Department before submission.

Section 13: Public Contact

The Chief, or the Chief's designee, may release facts regarding fires or other emergencies to the news media. The Chief or the Chief's designee shall speak to the media on behalf of the Department. All other personnel shall refer all media inquiries requiring a statement on behalf of the Department to the Chief or the designee.

Department personnel shall not, in connection with Department activities or functions, make statements or writings that constitute libel or slander, that would impede a law enforcement investigation or compromise the presumption of innocence until proven guilty or which would deny any person due process.

Members of the public will not be allowed in those portions of the Community Services Building used to store Department vehicles or equipment except when accompanied by a Member of the Department or a Township employee. All Department personnel will always treat the public courteously and professionally.

Section 14: Emergency Responses

When responding to emergencies, all personnel will drive emergency vehicles with appropriate concern for the safety of the public and defensive driving. Use of emergency signals on vehicles shall be considered a request for the right of way from other drivers. Repeated use of excess speed may result in discipline, including but not limited to dismissal from the Department.

Use of emergency signal equipment shall be permitted only when the department has been officially dispatched to an emergency.

The Chief shall establish written regulations regarding the use of emergency signal equipment on Township-owned and personal vehicles.

Section 15: Department Equipment

Protective equipment shall be worn when engaged in firefighting in any enclosed structure, or outdoors as directed by the Chief or, if the Chief is not on scene, the incident commander. Protective equipment shall be worn by those Department members providing emergency medical services consistent with the Department's rules and regulations.

Lost or damaged equipment shall be reported as soon as possible to an officer. Township property shall be disposed of only with the prior approval of the Township Board. All Department-issued equipment and apparel shall be returned to the Chief upon terminating employment with the Department.

Section 16: Use of Community Services Building

Only Township-owned vehicles and equipment may be kept at the Community Services Building. Department equipment shall not be borrowed for private use. Alcoholic beverages shall not be brought into the Community Services Building or used as shall be proscribed by Department rule or regulation. Controlled substances may not be brought onto Township property except as shall be medically prescribed.

Section 17: Rules and Regulations

The Chief, with the assistance of the Township Attorney, shall write rules and regulations applicable to the Department and its membership. Once written these rules and regulations shall be presented to the Township Board for approval. Until approved, the constitution and by-laws of the former Fire Department and Quick Response Team, together with the Fire Department's Recommended Operations Guidelines (ROG's) and the Quick Response Team's Operational Guidelines (OG's), shall be deemed the rules and regulations of the Department to the extent that they do not conflict with the provisions of this ordinance. In the event of conflict, this ordinance shall control. Should any rule or regulation conflict with any other rule or regulation, the standard designed to give the most protection to the membership, as determined by the Chief, shall be deemed controlling; provided, however, in the event of a dispute, the Township Board shall be the last judge of the meaning, effect and applicability of any Department rule or regulation.

Section 18: Savings Clause

Should any court of competent jurisdiction declare any portion of this ordinance unenforceable, the remainder of this ordinance shall remain in full force and effect unaffected by the portion that might be so declared to be unenforceable.

Section 19: Effective Date

This ordinance shall take effect after notice of adoption through publication as required by law. All ordinances in conflict herewith are hereby repealed.

ADOPTED: August 14, 2008

ORDINANCE NO. 23

Lawrence Township

ORDINANCE CONFIRMING THE ESTABLISHMENT OF THE LAWRENCE TOWNSHIP PLANNING COMMISSION

Preamble

An ordinance to confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Lawrence Township Planning Commission; provide for the composition of that planning commission; provide for the powers, duties and limitations of that planning commission; and repeal any ordinance or parts of ordinances or resolutions in conflict with this ordinance.

THE TOWNSHIP OF LAWRENCE, VAN BUREN COUNTY, MICHIGAN, ORDAINS:

Section 1: Scope, Purpose and Intent

This ordinance is adopted pursuant to the authority granted the township board under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq., to establish a planning commission with the powers, duties and limitations provided by those Acts and subject to the terms and conditions of this ordinance and any future amendments to this ordinance.

The purpose of this ordinance is to provide that the Lawrence Township Board shall hereby confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Lawrence Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., to establish the appointments, terms, and membership of the planning commission; to identify the officers and the minimum number of meetings per year of the planning commission; and to prescribe the authority, powers and duties of the planning commission.

Section 2: Establishment

The township board hereby confirms the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Lawrence Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq. The Lawrence Township Planning Commission shall have 9 members. Members of the Lawrence Township Planning Commission as of the effective date of this Ordinance shall, except for an ex officio member whose remaining term on the planning commission shall be limited to his or her term on the township board, continue to serve for the remainder of their existing terms so long as they continue to meet all of the eligibility requirements for planning commission membership set forth within the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq.

Section 3: Appointments and Terms

The township supervisor, with the approval of the township board by a majority vote of the members elected and serving, shall appoint all planning commission members, including the ex officio member.

The planning commission members, other than an ex officio member, shall serve for terms of 3 years each.

A planning commission member shall hold office until his or her successor is appointed. Vacancies shall be filled for the unexpired term in the same manner as the original appointment.

Planning commission members shall be qualified electors of the township, except that one planning commission member may be an individual who is not a qualified elector of the township. The membership of the planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the township, in accordance with the major interests as they exist in the township, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the township to the extent practicable.

One member of the township board shall be appointed to the planning commission as an ex officio member. An ex officio member has full voting rights. An ex officio member's term on the planning commission shall expire with his or her term on the township board.

No other elected officer or employee of the township is eligible to be a member of the planning commission.

Section 4: Removal

The township board may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.

Section 5: Conflict of Interest

Before casting a vote on a matter on which a planning commission member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. Failure of a member to disclose a potential conflict of interest as required by this ordinance constitutes malfeasance in office.

For the purposes of this section, conflict of interest is defined as, and a planning commission member shall declare a conflict of interest and abstain from participating in planning commission deliberations and voting on a request, when:

(a) An immediate family member is involved in any request for which the planning commission is asked to make a decision. "Immediate family member" is defined as *an individual's father, mother, son, daughter, brother, sister, and spouse and a relative of any degree residing in the same household as that individual.*

(b) The planning commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association.

(c) The planning commission member owns or has a financial interest in neighboring property. For the purposes of this section, a neighboring property shall include any property immediately adjoining the property involved in the request.

(d) There is a reasonable appearance of a conflict of interest, as determined by a majority vote of the remaining members of the planning commission.

Section 6: Compensation

The planning commission members may be compensated for their services and reimbursed for their expenses as provided by the township board.

Section 7: Officers and Committees

The planning commission shall elect a chairperson and a secretary from its members, and may create and fill other offices as it considers advisable. An ex officio member of the planning commission is not eligible to serve as chairperson. The term of each office shall be 1 year, with opportunity for reelection as specified in the planning commission bylaws.

The planning commission may also appoint advisory committees whose members are not members of the planning commission.

Section 8: Bylaws, Meetings and Records

The planning commission shall adopt bylaws for the transaction of business.

The planning commission shall hold at least 4 regular meetings each year, and shall by resolution determine the time and place of the meetings.

Unless otherwise provided in the planning commission's bylaws, a special meeting of the planning commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws otherwise provide, the secretary shall send written notice of a special meeting to planning commission members at least 48 hours before the meeting.

The business that the planning commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL 15.261, et seq.

The planning commission shall keep a public record of its resolutions, transactions, findings, and determinations. A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Section 9: Annual Report

The planning commission shall make an annual written report to the township board concerning its operations and the status of the planning activities, including recommendations regarding actions by the township board related to planning and development.

Section 10: Authority to Make Master Plan

Under the authority of the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., and other applicable planning statutes, the planning commission shall make a master plan as a guide for development within the township's planning jurisdiction.

Final authority to approve a master plan or any amendments thereto shall rest with the planning commission unless the township board passes a resolution asserting the right to approve or reject the master plan.

Unless rescinded by the township, any plan adopted or amended under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq. need not be readopted under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq.

Section 11: Zoning Powers

The township board hereby confirms the transfer of all powers, duties, and responsibilities provided for zoning boards or zoning commissions by the former Township Zoning Act, Public Act 184 of 1943, MCL 125.271, et seq.; the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101, et seq.; or other applicable zoning statutes to the Lawrence Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq.

Any existing zoning ordinance shall remain in full force and effect except as otherwise amended or repealed by the township board.

Section 12: Capital Improvements Program

To further the desirable future development of the township under the master plan, the township board, after the master plan is adopted, may prepare or cause to be prepared by the township supervisor or by a designated nonelected administrative official, a capital improvements program of public structures and improvements, showing those structures and improvements in general order of their priority, for the following 6-year period. The prepared capital improvements program, if prepared by someone other than the township board, shall be subject to final approval by the township board. The planning commission is hereby exempted from preparing a capital improvements plan.

Section 13: Subdivision and Land Division Recommendations

The planning commission may recommend to the township board provisions of an ordinance or rules governing the subdivision of land. Before recommending such an ordinance or rule or any amendments of such ordinance or rule, the planning commission shall hold a public hearing on the proposed ordinance or rule. The planning commission shall give notice of the time and place of the public hearing not less than 15 days before

the hearing by publication in a newspaper of general circulation within the township. The township board retains the right to approve any such ordinance or rule.

The planning commission shall review and make recommendation on a proposed plat before action thereon by the township board under the Land Division Act, Public Act 288 of 1967, MCL 560.101, et seq. Before making its recommendation, the planning commission shall hold a public hearing on the proposed plat. A plat submitted to the planning commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the township. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

Section 14: Severability

The provisions of this ordinance are hereby declared to be severable, and if any part is declared invalid for any reason by a court of competent jurisdiction, it shall not affect the remainder of the ordinance, which shall continue in full force and effect.

Section 15: Repeal

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. The resolution or ordinance establishing the Lawrence Township Planning Commission under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq. is hereby repealed.

Section 16: Effective Date

This ordinance shall take effect on the date of its publication.

ADOPTED: June 9, 2011

ORDINANCE NO. 24

Lawrence Township

TOWNSHIP OF LAWRENCE TAX EXEMPTION ORDINANCE

An ordinance to authorize the payment of an annual service charge in lieu of taxes for residential units serving low income or moderate income persons in accordance with the State Housing Development Authority, Act 346 of the Public Acts of Michigan of 1966, as amended, and matters related thereto.

THE TOWNSHIP OF LAWRENCE ORDAINS:

Section 1: Purpose

This Ordinance authorizes and approves an annual service charge in lieu of taxes for residential housing developments that: (a) serve Low Income or Moderate Income Persons (as defined in the State Housing Development Authority Act, Act 346 of the Public Acts of Michigan of 1966, as amended, and this Ordinance); (b) are financed or assisted by USDA-RD or the Authority in accordance with Act 346; (c) are located within the Township; and (d) comply with this Ordinance.

Section 2: Title

This Ordinance shall be known and cited as the “Township of Lawrence Tax Exemption Ordinance.”

Section 3: Preamble

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for low income citizens and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with Act 346. The Township is authorized by Act 346 and this Ordinance to establish or change the annual service charge to be paid in lieu of taxes by any and all classes of housing exempt from taxation under Act 346 at any amount it chooses not to exceed the taxes that would be paid but for Act 346. It is further acknowledged that housing for low income persons and families is a public necessity, and as the Township will be benefitted and improved by such housing, the encouragement of the same by providing certain real-estate tax exemptions for such housing is a valid public purpose; further, that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of housing developments which are constructed and financed in reliance on such tax exemption.

The Township acknowledges that the GENCAP Lawrence-Decatur Limited Dividend Housing Association LLC (the “Sponsor” as defined in Section 4 of this Ordinance) has committed to rehabilitate, own and operate a housing development identified as “Lawrence Downs Apartments” on certain property located 599 South Paw Street, within the Township of Lawrence, Michigan, which is legally described in Section 4.G. of this Ordinance, to serve Low Income or Moderate Income Persons, and that the Sponsor has offered to pay and will pay to the Township, on account of the Housing Development, an annual service charge for public services in lieu of all taxes.

Section 4: Definitions

The terms used within this Ordinance shall have the following meanings:

A. "Act" means the State Housing Development Authority Act, being Act 346 of the Public Acts of Michigan of 1966, as amended.

B. "Annual Shelter Rents" means the total actual collections during each calendar year from all occupants of a housing development representing rents or occupancy charges, which rental amounts shall be exclusive of charges for gas, electricity, heat, or other utilities furnished to the occupants.

C. "Authority" means the Michigan State Housing Development Authority.

D. "Class" means the Housing Development known as Lawrence Downs Apartments for Low Income or Moderate Income Persons.

E. "Contract Rents" are as defined by the U. S. Department of Housing and Urban Development in regulations promulgated pursuant to the U. S. Housing Act of 1937, as amended.

F. "Federally-Aided Mortgage" means any of the following:

- (i) A mortgage insured, purchased, or held by the Secretary of the Department of Housing and Urban Development ("HUD") or United States Department of Agriculture – Rural Development ("USDA-RD");
- (ii) A mortgage receiving interest credit reduction payments provided by the HUD or USDA – RD;
- (iii) A Housing Development to which the Authority allocates low income housing tax credits under Section 22b of the Act; or
- (iv) A mortgage receiving special benefits under other federal law designated specifically to develop low and moderate-income housing, consistent with the Act.

G. "Housing Development" means a development which contains a significant element of housing for persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines to improve the quality of the development as it relates to housing for persons of low income. For the purposes of this Ordinance, "Housing Development" means Lawrence Downs Apartments located on the property legally described as:

Situated in the Township of Lawrence, Van Buren County, Michigan:

Beginning at a point found by commencing at the Northwest corner of Section 15, Town 3 South, Range 15 West and running thence South 00°14'30"West, 297.00 feet along the West line of said Section to the point of beginning of this description; thence South 89°36'11" East, 841.50 feet; thence South 00°14'30" West, 225.76 feet; thence North 89°42'10" West parallel with the South line of

the Northwest quarter of the Northwest quarter of said Section 15, 608.50 feet; thence North 00°14'30" East, 176.82 feet parallel with said West line of Section 15; thence North 89°36'11" West parallel with said North line 233.00 feet to the West line of said Section; thence North 00°14'30" East along said Section line, 50.00 feet to the point of beginning. Van Buren County ID: 80-44-455-007-00

Also

Beginning at a point found by commencing at the Northwest corner of Section 15, Town 3 South, Range 15 West and running thence South 00°14'30" West, 347.00 feet from the Northwest corner of said Section to the point of beginning of this description; thence South 89°36'11" East parallel with the North line of said Section 233.00 feet; thence South 00°14'30" West, 176.82 feet; thence North 89°42'10" West parallel with the South line of the Northwest quarter of the Northwest quarter of said Section 15, 233.00 feet to the West line of said Section; thence North 00°14'30" East along said West line, 177.23 feet to the point of beginning, except Paw Paw Street right of way. Van Buren County ID: 80-44-455-008-00

H. "Low Income or Moderate Income Persons" shall be as defined in the Act, as amended.

I. "Sponsor" means person(s) or entities which have applied to the Authority for the Tax Credits to finance a Housing Development. For the purposes of this Ordinance, the Sponsor is GENCAP Lawrence-Decatur Limited Dividend Housing Association LLC.

J. "Tax Credits" means the low income housing tax credits made available by the Authority to the Sponsor for rehabilitation of the Housing Development by the Sponsor in accordance with the Low Income Housing Tax Credit Program administered by the Authority under Section 42 of the Internal Revenue Code of 1986, as amended.

K. "USDA-RD" means the United States Department of Agriculture, Rural Services Division.

L. "Utilities" means fuel, water, sanitary sewer service and/or electrical service, which are paid by the Housing Development.

Section 5: Class of Housing Development

This Ordinance shall apply only to the Housing Development to the extent that the Housing Development provides housing for Low Income and Moderate Income Persons and is financed or assisted by USDA-RD or the Authority pursuant to the Act.

Section 6: Establishment of Annual Service Charge

A. The Township acknowledges that the Sponsor and USDA-RD and/or the Authority have established the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this Ordinance and the qualification of the Housing Development for exemption from all property taxes and payment of an annual service charge in lieu of taxes in an amount established in accordance with this Section. In consideration of the Sponsor's offer to rehabilitate, own and operate the

Housing Development, the Township agrees to accept payment of an annual service charge for public services in lieu of all ad valorem property taxes that would otherwise be assessed to the Housing Development under Michigan law; provided however, that if this ordinance is violated through nonpayment or in some other way for a period of time no less than sixty (60) days, the Housing Development, after such time, shall become subject to ad valorem taxes. The Township shall provide sixty (60) days written notice to the Owner and Michigan State Housing Development Authority, Attn: Director of Legal Affairs, 735 East Michigan Avenue, Lansing MI 48912. In such event, such taxes shall be due and owing from the point of violation as if this ordinance had never been adopted. Collection of such taxes shall be as provided by law in cases of ad valorem taxes.

(1) Subject to the receipt by the Township of the “Notification of Exemption” (or such other similar notification) by the Sponsor and/or the Authority, the annual service charge shall be equal to 100% of the tax collection on the Housing Development as legally described herein, based on a taxable value of \$350,000 (generating taxes in the amount of \$24,784.00 for the Township and the Village of Lawrence combined) plus the legal and other expenses of the Township and the Village relative to the preparation of this Ordinance and the exemption provided herein and any future extensions or modification thereof; said costs to include but, not be limited to, the cost for attorney review, publication costs and the cost of special meetings, if any. In addition to such costs and expenses, in the event the Township, Village or School District should adopt a special assessment from and after the date of this agreement, the Housing Development shall pay the special assessment in addition to the annual service charge.

(2) Each year, but no later than January 31st, the Sponsor shall provide the Township Assessor with documentation regarding the low income status of the individuals or families residing in the Development. In no event shall the documentation reveal any confidential or private information about the residents that is prohibited from release pursuant to either applicable state or federal law.

B. The Housing Development, and the property on which it shall be constructed, shall be exempt from all property taxes beginning in the calendar year from and after the completion of rehabilitation of the Housing Development by the Sponsor under the terms of this Ordinance. The exemption shall begin when the Sponsor shall have substantially rehabilitated the Housing Development by repairing, improving and/or replacing the full scope of the items outlined in letters to the Village of Lawrence, dated November 7, 2012, and the Township of Lawrence, dated November 27, 2012. Whether there has been “substantial” completion shall be determined by the Township and Village of Lawrence, a favorable determination shall not be unreasonably withheld.

Section 7: Limitation on the Payment of Annual Service Charge

Notwithstanding Section 6, if any portion of the Housing Development is occupied by other than Low Income and Moderate Income Persons, the full amount of the taxes that would be paid on those units of the Housing Development if the Housing Development were not tax exempt shall be added to the service charge in lieu of taxes.

Section 8: Contractual Effect of Ordinance

Notwithstanding the provisions of Section 15(a)(5) of the Act to the contrary, and subject to the terms of this Ordinance including, but not limited to Section 11 herein, this

Ordinance constitutes a contract between the Township and the Sponsor and the Housing Development to provide an exemption from ad valorem property taxes and to accept the payment of an annual service charge in lieu of such taxes, as previously described in this Ordinance. It is expressly recognized that the Authority and USDA-RD are third party beneficiaries to this Ordinance.

Section 9: Payment of Service Charge

The service charge in lieu of taxes shall be payable to the Township in the same manner as ad valorem property taxes are payable, except that the annual payment shall be paid on or before January 31 of each year for the previous calendar year.

Section 10: Duration

This Ordinance shall remain in effect and shall not terminate so long as the Housing Development remains subject to a Federally Aided Mortgage and so long as the housing development submits the required annual notification of exemption pursuant to M.C.L. 125.1415a(1), as amended, but in any event not more than eighteen (18) years from the date of completion of the rehabilitation.

Section 11: Publication; Effective Date

This Ordinance shall become effective the day following its publication or the day following publication of a summary of its provisions in a newspaper of general circulation in the Township.

ADOPTED: January 29, 2013.

ORDINANCE NO. 25
Township of Lawrence

MUNICIPAL CIVIL INFRACTIONS ORDINANCE

An ordinance providing for the enforcement of local township ordinances within the Township of Lawrence, Van Buren County, Michigan, as Municipal Civil Infractions pursuant to the terms of Michigan Revised Judicature Act, being Public Act 236 of 1961, as amended, as such local ordinances may, from and after the date this ordinance, be specifically designated as enforceable as a Municipal Civil Infraction.

**THE TOWNSHIP OF LAWRENCE, VAN BUREN COUNTY, MICHIGAN,
ORDAINS:**

Section 1: PURPOSE; ESTABLISHMENT

The purpose of this ordinance is to establish that certain specified Township Ordinances may be enforced as Municipal Civil Infractions as provided by law. At the time of adoption of this Ordinance, the only Township Ordinance enforceable as a Municipal Civil Infraction shall be the *Lawrence Township Barking Dog Ordinance*, adopted simultaneously with this ordinance. Other township ordinances may be amended to provide for enforcement by civil infraction as the Lawrence Township Board of Trustees may later provide.

Section 2: DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- a. *Act*. The word “act” shall refer to the Public Act No. 236 of 1961 (MCL 600.101 et seq.), as amended
- b. *Authorized township official*. A police officer, code enforcement officer, building official or other personnel of the township authorized by this or any township ordinance to issue a municipal civil infraction citation or municipal ordinance violation notice.
- c. *Municipal civil infraction action*. A civil action in which the defendant is alleged to be responsible for a municipal civil infraction.

- d. Municipal civil infraction citation. A written complaint or notice prepared by an authorized township official, directing a person to pay a fine or appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

- e. Person, and its derivatives. A natural person, partnership, association, legal entity, a limited liability corporation or company or a corporate body or any body of persons corporate or incorporate. Whenever used in a clause prescribing and imposing a penalty, the term "person", as applied to any unincorporated entity, means the partners or members thereof, and as applied to corporations, the officers thereof.

- f. Township. The Township of Lawrence, a municipal corporation in Van Buren County in the State of Michigan.

Section 2: COMMENCEMENT OF ACTION

A municipal civil infraction action may be commenced upon the issuance of a municipal civil infraction citation by an authorized township official directing the alleged violator to appear in court.

Section 3: ISSUANCE AND SERVICE OF CITATIONS

Municipal civil infraction citations shall be issued and served by authorized township officials as follows:

- a. The time for appearance specified in a citation shall be within a reasonable time after the citation is issued.

- b. The place for appearance specified in a citation shall be the location of the district court as identified in the citation.

- c. Each citation shall be numbered consecutively and shall be in a form approved by the state court administrator. The original citation shall be filed with the district court. Copies of the citation shall be retained by the township and issued to the alleged violator as provided by Section 8705 of the Act (MCL 600.8705).

- d. A citation for a municipal civil infraction, signed by an authorized township official, shall be treated as if it were made under oath and as if the violation alleged in the citation occurred in the presence of the official signing the complaint. The citation shall contain the following statement immediately above the date and signature of the official issuing the citation:

"I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge and belief."

- e. An authorized township official who witnesses a person committing a municipal civil infraction shall prepare and subscribe, as soon as and as completely as possible, an original and required copies of a citation.
- f. An authorized township official may issue a citation to a person if:
 - 1. Based upon the investigation, the official has reasonable cause to believe that the person is responsible for a municipal civil infraction;
 - 2. Based upon investigation of a complaint by someone who allegedly witnessed the person commit a municipal civil infraction, the official has reasonable cause to believe that the person is responsible for such an infraction and if the township attorney approves in writing the issuance of the citation.
- g. Municipal civil infraction citations shall be served by an authorized township official as follows:
 - 1. Except as provided in subsection b.1. and b.2. of this section, an authorized township official shall personally serve a copy of the citation upon the alleged violator.
 - 2. If the municipal civil infraction action involves:
 - a. The use or occupancy of land, a building or other structure, a copy of the citation does not need to be personally served upon the alleged violator, but may be served upon an owner or occupant of the land, building or structure by posting the copy on the land or attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first class mail to the owner of the land, building or structure at the owner's last known address; or
 - b. A vehicle located on a parcel within the corporate limits and is improperly stored, junked or abandoned, improperly parked, is in an inoperable condition, or is otherwise a municipal civil infraction under Lawrence Township Ordinance, a copy of the citation does not need to be personally served upon the alleged violator, but may be served upon an owner or occupant of the land, building or structure by posting the copy on the land or

attaching the copy to the building or structure. In addition, a copy of the citation shall be sent by first class mail to the owner of the land, building or structure at the owner's last known address.

- h. Sworn police officers, acting with authority of the Lawrence Township Board of Trustees, shall have general discretion as to whether or not to cite violation of a Lawrence Township Ordinance enforceable as a Municipal Civil Infraction. Non-sworn officials of the township shall likewise have discretion to cite such violations as a municipal civil infraction, if empowered to cite violations by the Lawrence Township Board of Trustees.

Section 4: CONTENTS OF CITATIONS

- a. A municipal civil infraction citation shall contain the name and address of the alleged violator, the municipal civil infraction alleged, the place where the alleged violator shall appear in court, the telephone number of the court and the time at or by which the appearance shall be made.
- b. Further, the citation shall inform the alleged violator that he may do one of the following:
 - 1. Admit responsibility for the municipal civil infraction by mail, in person or by representation, at or by the time specified for appearance.
 - 2. Admit responsibility for the municipal civil infraction with explanation by mail, by the time specified for appearance, or in person or by representation.
 - 3. Deny responsibility for the municipal civil infraction by doing one of the following:
 - a. appear in person for an informal hearing before a judge or district court magistrate, without the opportunity of being represented by an attorney, unless a formal hearing before a judge is requested by the Township.
 - b. appear in court for a formal hearing before a judge, with the opportunity of being represented by an attorney.
- c. The citation shall also inform the alleged violator of all of the following:

1. If the alleged violator desires to admit responsibility with explanation in person or by representation, the alleged violator must apply to the court in person, by mail, by telephone or by representation within the time specified for appearance and obtain a scheduled date and time for an appearance.
 2. If the alleged violator desires to deny responsibility, the alleged violator must apply to the court in person, by mail, by telephone or by representation within the time specified for appearance and obtain a scheduled date and time to appear for a hearing, unless a hearing date is specified on the citation.
 3. A hearing shall be an informal hearing unless a formal hearing is requested by the alleged violator or the township.
 4. At an informal hearing, the alleged violator must appear in person before a judge or district court magistrate, without the opportunity of being represented by an attorney.
 5. At a formal hearing, the alleged violator must appear in person before a judge with the opportunity of being represented by an attorney.
- d. The citation shall contain a notice that the failure of the alleged violator to appear within the time specified in the citation or at the time scheduled for a hearing or appearance will result in entry of a default judgment against the alleged violator on the municipal civil infraction.

Section 5: PENALTIES AND SANCTIONS; CUMULATIVE REMEDIES

- a. The sanction for a violation which is a civil infraction shall be a civil fine in the amount as provided by the ordinance involved, plus any costs, damages, expenses and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, Public Acts 12-26 of 1994, as amended, other applicable law.
- b. In addition to pursuing a municipal civil infraction proceeding pursuant to “subsection a” hereof, the Township may also institute an appropriate action in the court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.
- c. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.

d. Any use of land that is commenced or conducted, any activity, or any building, item or structure that is erected, moved, used, placed, reconstructed, razed, extended, enlarged, altered, maintained, or changed, in violation of any provision of this Ordinance is also hereby declared to be a nuisance per se.

e. Each and every day during which a violation of the Ordinance shall exist shall be deemed to be a separate offense.

f. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting, and shall be considered to have violated the provision of this Ordinance for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

Section 6: SEVERABILITY

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 7: EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its adoption and publication. Upon its effective date, this Ordinance supersedes and repeals prior Ordinances.

ADOPTED: March 14, 2013

EFFECTIVE: April 22, 2013

ORDINANCE NO. 26
Township of Lawrence

LAWRENCE TOWNSHIP BARKING DOG ORDINANCE

An ordinance to preserve the peace and to protect the public health, safety and welfare of the citizens of Lawrence Township, Van Buren County, Michigan, by regulating noise generated by barking dogs; to provide for enforcement; and, to provide sanctions for the violation hereof.

THE TOWNSHIP OF LAWRENCE, VAN BUREN COUNTY,
MICHIGAN, ORDAINS:

Section 1: TITLE

This ordinance shall be known and cited as the *Lawrence Township Barking Dog Ordinance*.

Section 2: PURPOSE

It is the purpose of this ordinance to prevent, reduce or eliminate nuisance conditions related to noise created by barking dogs in Lawrence Township by providing a means of enforcement and sanctions for continuation of such nuisance conditions.

Section 3: NUISANCE CONDITION

It shall be unlawful for any person, firm, partnership, corporation or other entity, however described, to keep, harbor or permit a dog which, because of frequent or habitual barking, yelping, howling, whining or other loud noises, causes an annoyance amounting to nuisance in the neighborhood where such dog is kept. For purposes of this ordinance, a nuisance is defined as the unreasonable or unlawful use of property which, because of noise, causes injury, damage or annoyance to a neighbor or a disturbance in the neighborhood.

Section 4: ENFORCEMENT

The provisions of this ordinance shall be enforced by the Township official designated by resolution of the Township Board. The enforcement officer shall have the discretion to give a warning to an offender prior to issuing a formal municipal civil infraction citation. Lawrence Township's *Municipal Civil Infraction Ordinance* shall control procedures used in enforcing this ordinance, except as otherwise expressly provided herein.

Section 5: SANCTIONS

Any person or entity, however described, that violates any provision of this ordinance shall be deemed guilty of a municipal civil infraction punishable by a civil fine determined in accordance with the following schedule:

1st offense	\$150.00
2nd offense	\$175.00
3rd or subsequent offense	\$200.00 and other relief as ordered by the court.

Additionally, a person violating this ordinance shall pay costs, damages and expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, Public Acts 12-26 of 1994, as amended, and other applicable law.

Section 6: SEVERABILITY

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 7: EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its adoption and publication. Upon its effective date, this Ordinance supersedes and repeals prior Ordinances.

ADOPTED: March 14, 2013

EFFECTIVE: April 22, 2013