

Hartford Township, Van Buren County, Michigan
Ordinance Number 1
the Township Building Code for the Township of Hartford

An ordinance to promote public health, welfare and safety by regulating the construction of buildings and other structures.

Article I: Title. The ordinance shall be known as the Township Building Code for the Township of Hartford in the County of Van Buren and State of Michigan.

Article II: Purpose. The purpose of this ordinance is to promote public health, welfare and safety in the use of buildings and other structures and the construction, repairing, moving and remodeling of buildings and other structures.

Article III. Exception:

- A. This ordinance shall not apply to any building or structure used solely for agricultural purpose on lands consisting of not less than a 10-acre unit and devoted solely to farming and agricultural production and shall not apply to dwelling units housing seasonal agricultural labor.
- B. This ordinance shall not apply to the remodeling of existing structures where the exterior dimensions of structure are not changed and the cost of such remodeling does not exceed \$1,000.00

Article IV. Definition: Building. The word building, as used in this ordinance, shall mean any structure . . .

- A. Used as a dwelling or residence or erected for dwelling or residence purposes;
- B. Any structure used or erected as a business place which persons, other than the owner or regular occupant, are permitted or invited for business;
- C. Any structure used or erected for a place of regular assembly for groups, clubs or organizations.

Article V: Construction, Repairs, Remodeling. The construction of new buildings, remodeling of existing buildings, major repairs to existing buildings, the moving of building from one location to another, electrical wiring, sanitary sewage and waste disposal installation, water wells, and water systems shall be governed by the provisions of the ordinance.

Article VI: Requirement of Permit. No building, structure, electric wiring, electric system, sewage or sanitary installations, water well or water system shall hereafter be erected, installed, moved, altered, remodeled or major repairs made thereto without a permit therefore being first obtained from the Township.

Article VII: Change of Use. Any building or structure within the Township now used or established for a specific use or purpose shall not hereafter be used for or occupied for any other use or purpose without a permit therefore first being obtained from the Township, which permit shall be granted only upon the confirming to, or being made to conform to, the requirements of this ordinance with respect to the new use proposed.

Article VIII: Structural Requirements.

- A. Buildings or structures of a permanent character shall be erected on an adequate foundation of cement, brick, concrete blocks, or equivalent material, extending at least two feet below ground break and with ground floor clearance of not less than 14 inches above ground and with ground space provision for ventilation, provided however, the Township Board may permit other foundation ground floor and ground clearance construction where same will equally meet the purposes of this ordinance, including slab construction
- B. All building shall be constructed of standard materials and strength in design and parts for the purpose of intended use and with adequate and standard provision for heat, lights, water, sanitation, and fire protection measures.
- C. All building roofs shall be constructed of not less than fire resistant materials recommended under standard fire insurance codes and requirements.
- D. Toilet and sanitary facilities, water wells and water systems, for all building shall meet the minimum requirements of State laws and County Board of Health for health and sanitation.
- E. Electrical wiring and connections therefore shall be not less than required in the prevailing minimum standards recognized under state laws relating thereto and the utility organizations rendering or to render the electrical service.

Hartford Township, Van Buren County, Michigan
Ordinance Number 1
the Township Building Code for the Township of Hartford

- F. All dwelling shall be provided with inside flush-type toilet facilities connected to a septic tank and sub surface disposal system in accordance with the Van Buren County Sanitation cod.
- G. ****amended November 8, 1969** to read** . . . The habitable area for all buildings including trailers used as permanent dwellings occupied as living (including sleeping) quarters hereafter erected, constructed or moved into Hartford Township shall not be less than 500 square feet excluding porches, divided into not less than two rooms and one bathroom, providing, however, that this provision shall not be applicable to motels where additional facilities are otherwise provided. Also, trailers used as permanent dwellings shall be on a concrete slab and have a solid attractive skirt extending from the bottom of the trailer to the ground.
- H. No roll roofing or tar paper shall be used for exterior siding purposes.
- I. All chimneys, stove pipes and smoke outlets for stoves and furnaces, shall be constructed in a first class manner of fireproof materials and in accordance with approved codes for chimney construction.

Article IX: Permits. Application for permit required by this Ordinance shall be made in writing and in triplicate to the Township Clerk or Township Inspecting Officer and shall state the name and address of the applicant, the purpose for which the permit is desired, and shall contain a detailed statement of the proposed construction, alteration and use, together with such additional information as the Township shall direct.

The application for a permit shall also contain a statement of the applicant therein, consenting to an inspection of the premises where the permit is to be used at any time while the permit remains in effect. Failure to properly make application for such permit and failure to furnish the information required by this ordinance shall be grounds for refusal of such permit. Any permit issued shall be posted in a conspicuous place on the premises, and shall remain so posted until the performance of the act for which the permit was issued is completed and approved by the designated Township authority.

Article X: Revocation or Suspension of Permit. Any permit issued under this ordinance may be suspended or revoked for violation of the provisions of this Ordinance during the life of the permit by notice posted in a conspicuous place on the premises. In the even of revocation or suspensions under this provision, such construction, alteration or use shall cease until application is made and permit obtained pursuant of Article IX hereof.

Article XI: Use Provisions. The use of any premises, structure or facility without a permit for which a permit is required under this Ordinance is hereby declared to be a public nuisance and is expressly prohibited. Each calendar day of such prohibited use shall constitute a separate and distinct violation of this ordinance.

Article XII: Fees. The fees to be charged for the issuance of permits and for inspection in conjunction therewith shall be fixed by the Township Board and shall be subject to change as the Board shall direct.

Article XIII: Inspection Officer – Duties and Compensation.

- A. The Township Board shall appoint an Inspection Officer who shall be the enforcing officer, and said Board may appoint such additional inspection officers as they shall, from time to time, deem essential to the enforcement hereof.
- B. It shall be the duty of the enforcing officer to enforce the various provisions of this ordinance, make inspections and issue permit, and to report to the Township Board all violations of this ordinance. Such officer shall have the power to suspend any permits heretofore granted for any violation of this ordinance by the holder of such permit.
- C. The compensation to be paid the inspecting officer shall be determined by the Township Board.

Article XIV: Delegation of Authority. The Township Board may delegate authority to the Township Clerk, or any inspecting officer under this ordinance, to issue permits under the provisions of this ordinance.

Article XV: Board of Appeals – Appeals. There is hereby created a Board of Appeals consisting of not less then three (3) members to be appointed by the Township Board. The terms of office and compensation of such members shall be determined by the Township Board. Upon refusal of the Inspecting Officer or other designated officers to issue a permit or upon suspension or revocation of an existing permit, the applicant or permittee shall

Hartford Township, Van Buren County, Michigan
Ordinance Number 1
the Township Building Code for the Township of Hartford

be entitled to a Hearing before the Township Board of Appeals, whose duty shall be to hear such appeals and make final determination with respect thereto within 30 days from the date application for appeal is made. Such applications shall be in writing and shall be filed with the Township Clerk within 20 days from the date of such refusal to grant a permit or from the date of revocation or suspension.

Article XVI: Penalty. ~~Any person violating any of the provisions of this ordinance shall, upon conviction thereof in a Court of Competent Jurisdiction, be punished by a fine not to exceed \$100.00 together with costs of prosecution and in addition thereto shall be liable to imprisonment for a period not exceeding 90 days, or by both such fine, costs and imprisonment in the discretion of the Court.~~ ***Amended June 17, 2013 with Ordinance No 38a**

- A. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- B. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Article XVII: Other Remedies. In addition to the penalty provisions of this Ordinance, the Township shall have such other additional remedies for the enforcement of this ordinance and the prevention of violations thereof that may be provided by the Laws of the State of Michigan.

Article XVIII: Repeal. Any township ordinance or parts of ordinance, in conflict herewith are hereby repealed.

Article XIX: Effective Date of Ordinance. This Ordinance shall become effective on August 14, 1967.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

An ordinance to establish zoning districts and provisions governing the unincorporated portions of the township of Hartford in accordance with the provision of Act 184 of the Public Acts of 1943 as amended; to provide for the administration, including penalties for the violation thereof, and to provide for the Board of Appeals. The Township Board of Hartford Township, County of Van Buren hereby ordains:

ARTICLE 1: PREAMBLE

Section 1.01. Name. This Ordinance shall be known as The Hartford Township Zoning Ordinance.

Section 1.02. Purpose. The fundamental purpose of this ordinance is to promote the public health, safety, morals and general welfare. The provisions are intended to provide for the orderly development of the Township to encourage the use of lands and natural resources in the township in accordance with their character and adaptability, to limit the improper use of land, to reduce hazards to life and property, to avoid overcrowding of population; to provide for adequate health conditions in dwellings and buildings hereafter erected or altered; to lessen congestion on the public roads and streets; to protect and conserve natural recreational areas, agricultural areas, residential areas, and other areas naturally suited to particular uses; to facilitate the establishment of an adequate and economic system for transportation, sewage disposal, safe water supply, education, recreation and other public requirements; to conserve the expenditure of funds for public improvements and services; to conform with the most advantageous uses of land, resources of the Township by both the community in general and the individual inhabitant.

Section 1.03. General Procedure. To achieve the purpose of this Ordinance, the Township of Hartford, has been divided into zoning districts of varied shape, kind and area, and regulations adopted for each such district, but with due consideration for the character of each district, its peculiar suitability for particular purposes, the conservation of property values and natural resources and the general trend and character of land, buildings, and population development.

Section 1.04. Scope. Beginning with the effective date of this Ordinance, and except as otherwise provided in this Ordinance, no new buildings or structure shall be enlarged, rebuilt or altered, and no building, structure, land or part thereof shall be used for purposes other than in conformity with the provisions of this ordinance pertaining thereto.

ARTICLE II: ZONING DISTRICTS

Section 2.01. Zoning Districts. For the purpose of this Ordinance, all of the Hartford Township area of Van Buren County is hereby divided into five (5) kinds of Zoning Districts to be known as:

District R1	(Residential)
District R2	(Residential-Resort)
District A	(Agricultural)
District C	(Commercial)
District I	(Industrial)

1. The description of unincorporated areas of Hartford Township, as set in Appendix B of this Ordinance, shall constitute the areas included in each zoning district.
2. The location of zoning districts in Hartford Township shall be shown on a map entitled Zoning Map of Hartford Township. This map and all information and proper notations shown thereon are hereby made a part of this ordinance. Unless otherwise provided in the text of the ordinance, the boundary lines of all zoning districts shall be interpreted as following along section lines or the customary divisions of section such as quarter and eighth lines; or the centerline of highways, streets and waterways; or the shoreline of water bodies; or the boundaries of unincorporated areas, recorded plats or subdivisions; or property lines of legal records on the date of enactment of this ordinance; or any extension of said lines.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

Section 2.02. District R1 (Residential) Permitted Uses.

No land shall be used hereafter, and no buildings or structures erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in the Ordinance.

1. Principal Permitted Uses:
 - A. One Family Dwelling
 - B. ****repealed July 30, 1973 by Ordinance Number 8****
2. Permitted Accessory Uses:
 - A. One garage providing storage for a maximum of three (3) cars or two (2) cars and one (1) truck.
 - B. Home occupations, including handicrafts, such as dressmaking, millinery, watch repairing and professional occupations such as the office of a physician, dentist, lawyer. Provided, however, that there shall be no external evidence of such occupation except a name plate not exceeding four (4) square feet in area, and further, that the use of occupations shall not require or affect any change in the external character of the dwelling.
3. Uses by Special Permit: The following uses shall be allowed when determined to be in conformance with the provisions of Section 3.17:
 - A. Churches, schools, libraries, and public owned buildings.
 - B. Multi-Family dwellings****added July 30, 1973 by Ordinance Number 8****
 - C. Hospitals, clinics, sanitariums, convalescent homes and similar structures designed for human care.
 - D. Home occupations involving machine or woodworking shops, welding, furniture refinishing and similar adaptations of industrial trades.
 - E. Public utility building
 - F. Community country clubs, fraternal lodges and similar civic or social organizations when not operated for profit.
 - G. Land for parks, playgrounds, public and private swimming pools, and similar facilities for outdoor exercise and recreation when not operated for profit.
 - H. Accessory building, structures and uses customarily incidental to any of the above permitted uses, such uses shall include temporary sign.

Section 2.03. District R2 (Residential-Resort) Permitted Use.

No land shall be used hereafter, and no building or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in this ordinance.

1. Principal Permitted Uses:
 - A. One Family Dwelling
 - B. ****repealed July 30, 1973 by Ordinance Number 8****
2. Permitted Accessory Uses:
 - A. One garage providing storage for a maximum of three (3) cars or two (2) cars and one (1) truck.
 - B. Home occupations, including handicrafts such as dressmaking, millinery, watch repairing and professional occupations such as the office of a physician, dentist, lawyer. Provided, however, that there shall be no external evidence of such occupation except a name plate not exceeding four (4) square feet in area, and further that the use or occupation shall not require or affect any change in the external character of the dwelling.
3. Uses by Special Permit: The following uses shall be allowed when determined to be conforming with the provisions of Section 3.17:
 - A. All uses permitted in paragraph 3 of Section 2.02.
 - B. Cabin camps, motels, resort hotels, trailer parks, boat liveries, boat shops, bait shops, marinas, and similar recreation enterprises.
 - C. Accessory buildings, structures and uses customarily incidental to any of the above permitted uses.

Section 2.04. District A (Agricultural) Permitted Uses.

No land shall be used hereafter, and no buildings or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in the ordinance.

1. Principal Permitted Uses:

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

- A. One Family Dwellings
 - B. ~~**repealed July 30, 1973 by Ordinance Number 8**~~
 - C. Farms
2. Permitted Accessory Uses:
- A. All uses permitted in paragraph 2 of Section 2.03
 - B. Buildings and structures customarily incidental to farming.
 - C. Dwelling structures for migrant workers
 - D. Roadside stands and buildings for the packaging, storage and sale of agricultural products.
 - E. Advertising signs.
3. Uses by Special Permit: The following uses shall be allowed when determined to be in conformance with the provisions of Section 3.17.
- A. All uses permitted in paragraph 3 of Section 2.03.
 - B. Food processing and packaging industries; farm equipment sales and services.
 - C. Fire control structures, airfields and airports, gravel and sand pits, public waste disposal areas.
 - D. Neighborhood retail groceries, gasoline stations, and shipping centers.
 - E. Accessory buildings, structures and uses customarily incidental to all of the above permitted uses.

Section 2.05. District C (Commercial) Permitted Uses.

No land shall be used hereafter, and no building or structure erected or moved upon any premises and used for other than one or more of the following uses, except as otherwise provided in the Ordinance.

1. Principal Permitted Uses:
- A. Those uses permitted under paragraphs 1, 2, 3 © of Section 2.04 of the Ordinance.
 - B. Stores, showrooms, and shops for the conduct of generally recognized retail business when conducted within buildings having a roof and four side walls.
 - C. Personal service shops, such as professional offices, barber shops, beauty parlors, shoe repair shops, laundry and dry cleaning pick-up shops.
 - D. Banks, dressmaking, millinery, photographic studios, undertaking establishments, public utility buildings, and publicly owned building.
 - E. Community clubs, fraternal organizations and similar civic and social organizations.
 - F. Gasoline and oil service stations, garages, and used car lots, but not the storage, processing or sale of used auto parts and other items commonly referred to as junk.
2. Uses by Special Permit: The following uses shall be allowed when determined to be in conformance with the provisions of Section 3.17:
- A. All uses permitted under paragraph 3 of Section 2.04 of the Ordinance, except as noted above.
 - B. Outdoor theatres, dance halls, recreational halls, and other enterprises of recreation and amusement.
 - C. Sale and servicing of agricultural machinery, lumber and coal yards, warehouses, and building contractors.
 - D. Establishments located within buildings for the repair, alteration, finishing, assembling, fabrication or storage of goods primarily for local and retail sale; the use of machinery in excess of three hundred (300) horsepower.
 - E. Accessory buildings, structures and uses customarily incidental to all of the above permitted uses.

Section 2.06. District I (Industrial) Permitted Uses.

No land shall be used hereafter and no building or structure erected or moved upon any premises and used for other than one or more of the following uses except as otherwise provided in the Ordinance.

1. Principal Permitted Uses:
- A. Any uses permitted in Section 2.05 of the Ordinance.
 - B. Terminal facilities, blacksmith shops, oil storages, and automobile wrecking establishments.
 - C. Dairy plants, canneries, wineries, agricultural storage and packaging, and similar food processing operations not requiring a special permit under this section.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

- D. Manufacture or assembly of electric appliances, motors and instruments, manufacture or assembly of signs, billboards and advertising structures; other manufacturing or assembly operations of similar nature not attended by excessive noise, smoke, odors, vibrations or dust.
 - E. Sheet metal, machine shops, monument works.
2. Uses by Special Permit: The following uses shall be allowed when determined to be in conformance with the provisions of Section 3.17:
- A. Slaughterhouses, tanneries, glue factories, rendering works, soap factories.
 - B. Oil refineries; chemical manufacturing or processing, asphalt manufacturing or refining, similar related manufacturing or processing.
 - C. Manufacturing or storage of explosives.
 - D. Manufacturing or processing operations involving odors, fumes, smoke, dust, water, noise or vibration to such a degree as to be considered obnoxious, offensive, unhealthful or harmful to surrounding property.
 - E. Junk yards and privately operated waste disposal sites of a commercial nature.

ARTICLE III: GENERAL PROVISIONS

Section 3.01. Conflicting Laws, Ordinances, Regulations and Restrictions. It is not intended by this ordinance to repeal, abrogate, annual or in any way impair or interfere with the existing provisions of the law, ordinance, rules, regulations or permits previously adopted or issued pursuant to laws relating to the erection or use of building or land; nor is it intended by this ordinance to interfere with or abrogate or annual any existing easements, covenants or other agreements between parties, provided, however, that where any provisions of this ordinance imposes more stringent requirements, regulations, restrictions, or limitations, upon the erection or use of land or buildings or upon the height of buildings and structures, or upon safety and sanitary measures, or requires larger yards or open spaces than are imposed or required by the provisions of any other law or ordinance or any said rules, regulations, permits or easements, than the provisions of this ordinance shall govern. The requirements of this ordinance are to be construed as minimum requirements and shall in no way impair or affect any covenant or restrictions running with the land, except where such covenant imposes lesser requirement.

Section 3.02. Uses of Non-Conforming Land, Buildings and Structures.

- 1. At the discretion of the owner, the lawful use of any building, structure or premises existing prior to the effective date of this ordinance may be continued, although the use does not conform to the provisions of this ordinance, and such use may be extended throughout said building and premises.
- 2. Wherever the non-conforming use of any building, structure, land, or premises or part thereof is discontinued through vacancy, lack of operations or otherwise for a continuous period of twelve (12) months, then any future use of said building, structure, land or premises shall conform, in its entirety, to the provisions of this ordinance; provided, however, the Board of Appeals may upon application within six (6) months of the termination of said period, permit the resumption of such non-conforming use.

Section 3.03. Reconstruction of Damages Non-Conforming Buildings and Structures. Nothing in this ordinance shall prevent the reconstruction, repair or restoration and the continued use of any non-conforming building or structure damaged by fire, collapse, exploding, acts of God, or acts of the public enemy, subsequent in the effective date of this ordinance. If such reconstruction or restoration is undertaken within two years and diligently prosecuted to completion; provided, however, that said use by identical with non-conforming use permitted in effect at the time of said damage, and provided; further, that said reconstruction shall conform with highway setback and yard requirements of the district wherever physically practical.

Section 3.04. Repair, Alteration and Completion of Non-Conforming Buildings.

- 1. Nothing in this ordinance shall prevent the expansion, repair, reinforcement, improvement, replacement or rehabilitation of a non-conforming building, structure or part thereof existing at the effective date of this ordinance, that may be necessary to secure or insecure the continued advantageous non-conforming use of the buildings, premises or structures.
- 2. No basement, cellar, garage or any incompletely constructed structure in use as a dwelling on the effective date of this ordinance shall be used as a dwelling for more than twelve (12) months following said date, with extension provisions where necessary unless such structure has been brought to a state of

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

completion in conformity with the regulations of this ordinance relative to dwellings in the district in which the said structure is located.

Section 3.05. Size of Premises

1. Every parcel of land upon which a dwelling is hereafter erected or moved shall conform with the following:
 - A. In the case of unplatted land, no lot shall contain less than ten thousand (10,000) square feet, exclusive of public highway rights of way, nor shall be less than seventy-five (75) feet at the building line.
 - B. In the case of lots contained in plats hereafter recorded, the area shall be not less than ten thousand (10,000) square feet and the width of the lot shall not be less than seventy-five (75) feet at the building line; provided, however, where lots are served by connections to municipal water supply or sewerage systems, lot width requirements may be reduced to sixty (60) feet when otherwise in conformity with Section 1.02 and subsequent sections of this ordinance,.
 - C. Every parcel of land shall provide a minimum width of twenty-five (25) feet at the site of the access to the premises.
2. Other buildings. The minimum size of a parcel of land required for other permitted and approved uses shall be determined by the Hartford Township Zoning Commission as may be reasonable for such use.
3. In determining lot requirements, no required area shall be ascribed to more than one principal building or use.
4. Where a lot abuts upon an alley, one half (1/2) of width of said alley must be considered a part of such lot for the purpose of computing the area of such lot and for the purpose of computing the depth of any rear yard required under this section.
5. Where lot abuts upon the shoreline of a lake, river, stream or other surface body of water not having a legally established water level and subject to fluctuation of water levels, the computation of the required lot area and yard measurement shall exclude any portion of the land existing below the highest prior water level.

Section 3.06. Limitation of Dwelling per Lot. Only one dwelling shall be erected or moved on a lot.

Section 3.07. Yard Requirements

1. Front Yards. When premises abut upon a highway under the jurisdiction of the Michigan State Highway Department, a distance of one hundred ten (110) feet shall be maintained between the centerline of the highway and the building line, or a distance of eighty three (83) feet between the centerline and building line, where premises abut upon highways under the jurisdiction of the Van Buren County Highway Commission; provided, however, that when premises abut roads or streets contained within recorded plats and which are designed to be intended for residential uses, front yard requirements may be reduced to fifty-eight (58) feet between the centerline and building line.
2. Side Yards. Shall be at least five (5) feet in width from the building line on each side of lots up to fifty (50) feet in width, with one (1) foot additional width of side yard being required for each additional ten (10) feet in lot width of lots up to one hundred (100) feet except where lots abut upon two or more streets or highways in which case only yards abutting such street or highway adjacent to the longest dimension of the property shall be considered side yards; provided, however, that no side yard shall be required in districts C and I when structures are separated by acceptable fire walls.
3. Rear Yards. Every building hereafter erected or moved upon a premise shall provide a rear yard no less than fifteen (15) feet in depth.
4. No part of any required yard, except a rear yard, shall be used for an accessory building or use.

Section 3.08. Highway Intersections Setback Lines. At intersection of all highways where grades are not separated, setback lines are hereby established across each section between the intersecting highways. Such setback lines shall be straight lines connecting points on the intersecting highways. Connecting points shall be located at a distance of three hundred (300) feet along the centerline of county highways not contained within a subdivision of plats of record, shall be located a distance of one hundred fifteen (115) feet along the highway centerline. Said distances shall be measured from the intersections of the centerlines of the respective highways.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

Section 3.09. Railroad/Highway Setback Lines. At intersections of highways and railroads where the grades are not separated, setback lines are hereby established across each sector between intersecting highways and railroads. Such setbacks shall be defined by straight lines connecting points located at a distance of four hundred fifty (450) feet along the centerline of the highway or railroad, such distance to be measured from the intersection of the respective centerlines.

Section 3.10. Buildings and Structures Relative to Setback Lines. No building or structure of any kind, except necessary highway and traffic signs and open fences through which there shall be clear vision, shall be hereinafter constructed, erected or moved into the space within such setback lines, except as herein provided. Wherever physically practical, no building or structure existing within such setback lines, other than necessary highway and traffic signs, shall be renewed or replaced hereafter except in conformance with setback requirements.

Section 3.11. Water Supply and Sewage Disposal Facilities.

1. Every building or structure hereafter erected or moved upon any premise for permanent or temporary human habitation shall be provided with a safe and adequate system for water supply and sewage disposal. No such building or structure shall be utilized for human habitation until the owner of the premise has obtained a written approval of the water supply and sewage disposal from the Van Buren County Health Department.
2. Connection shall be made to a public water supply and public sewer system if they are available to premises.
3. When a private water supply or private sewage disposal system is required, the type, location and construction shall comply with the sanitation regulations for Van Buren County. No building or structure requiring the facilities, shall be erected or moved upon any premises which do not provide adequate size or size conditions for safe and adequate water supply and sewage disposal facilities.

Section 3.12. Farm Buildings and Structures. All buildings and structures hereafter erected and used in connection with farming operations in the Township, but not including dwellings other than noted in Section 3.13, shall be exempt from the provisions of this ordinance; provided, however, that yard requirements, highway setback lines, and sanitary requirements of this ordinance shall be observed where applicable.

Section 3.13. Dwellings for Use of Seasonal Farm Labor. Any building or structure located in District "A" and available for occupancy from April 1 to November 15 for the use of seasonal farm labor, shall not be subject to the provisions of this ordinance; provided, however, it is maintained in a safe and sanitary condition and is furnished with a safe and sanitary water supply and with sewage disposal facilities which do not adversely affect the public health; and provided, further, that such buildings or structures shall be located at least one hundred (100) feet from the side or rear property line and one hundred thirty-three (133) feet back from any state, county, public highway or roadway.

Section 3.14. Essential Services. The erection, construction alteration or maintenance by public utilities or municipal departments or commissions, of overhead, surface or underground gas, electrical, steam or water, distribution or transmission systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, tunnels, wires, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers, poles, electrical sub-stations, gas accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utility or municipal department or commission or for the public health, safety, or general welfare shall be permitted as authorized or regulated by law and other ordinances in the Township of Hartford, in any use district, it being the intention hereof to except such erection, construction, alteration, and maintenance from the application of this ordinance.

Section 3.15. Temporary Dwelling Structures.

1. No building, trailer coach, garage, cellar, basement or other structure which does not conform to the provisions of this ordinance relative to the dwellings, shall be erected, altered or moved by any premises and used for dwelling purposes except under the following applicable limitation.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

- A. Such use of any building, trailer coach, garage, basement, or other structure shall not be inimical to health, safety, or to public welfare.
 - B. The location of each building, trailer coach, garage, cellar, basement or other structure shall conform to the regulations governing the yard requirements.
 - C. Such use of any building, trailer coach, garage, cellar, basement, or other structure shall be for the sole purpose of providing dwelling facilities for the owner of premises during the period a structure is in the process of erection and completion; provided, however, that such a period shall not exceed twelve (12) months beginning with the date of issuance of the permit unless otherwise extended by the action of the Board of Appeals.
 - D. ****renamed Section 3.15A. July 11, 1970****
 - E. Provisions of this section shall not relieve trailer coach owners from compliance with provision of Act. No. 172, of P. A. 1958
 - F. Application for erection, movement, alteration, and use of such building as trailer coach, garage, basement, or other structure shall be made to the Zoning Administrator as provided in Section 4.02 of this ordinance. The Zoning Administrator shall approve or disapprove the application giving due consideration to the purposes of this ordinance and to the best interests and welfare of all parties. Appeals to decisions of the Administrator shall be considered by the Board of Appeals at their next regular meeting.
2. The conditions of this section shall not apply to any trailer coach when located in a trailer coach park.

Section 3.15A. Use of Trailer Coaches and Mobile Homes as Dwellings. **amended July 11, 1970** to read****

- 1. Any other such use of any trailer coach or mobile home shall be under the following applicable limitations:
 - A. In the case of trailer coaches or mobile homes providing temporary housing to guest or visitors on the premises, such use shall be limited for an individual trailer or mobile home to a period of thirty (30) days in any calendar year; provided, that the occupants of said trailer coach or mobile home shall have unrestricted use of sewage disposal and water supply facilities of the conforming dwelling
 - B. ****amended April 21, 1972** to read** The use of a trailer coach or a mobile home as a dwelling for the owner of the premises upon which the trailer coach or mobile home is located ; provided, however, that such approval shall be limited to premises located within District R2, A, C, and I, unless otherwise determined by the Board of Appeals.
 - C. Any other trailer coach or mobile home shall be by special permit granted yearly by the Board of Appeals.

Section 3.16. Vehicular Parking Space, Access Thereto and Lighting Thereof. For each dwelling commercial, industrial, manufacturing or other similar business or service establishment hereafter erected or altered and located on a public highway, road or street in the unincorporated portions of the township, and including buildings or structures used principally as a place of public assembly, there shall be provided and maintained suitable space off the right-of-way for the parking or loading of vehicles in proportions shown in Appendix A of this ordinance, and such space shall be provided with safe exit to and safe entrance from the public thoroughfare. Approval for the location of such exit and entrance shall be obtained from the Michigan State Highway Department for all highways under their jurisdiction, and from the County Road Commission for all other roads and highways in the county, which approval shall also include the designed and construction thereof in the interests of safety, adequate drainage and other public requirements. A minimum of 200 square feet, exclusive of drive entrances and exits, shall comprise one automobile parking space. All parking space as required in this section, except that required for dwelling, shall be provided with adequate artificial lighting between the time extended from one half hour after sunset and one half hour before sunrise, when the use of such space is open to the public.

Section 3.17. Special Permit Uses. Special permit uses shall be subjected to the following special requirements in addition to the requirements and standards of the Zoning District in order to prevent conflict with or impairment of the principal permitted uses of the zoning district. Such uses shall be deemed to possess characteristics of such unique form to the district that each shall be considered as an individual case.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

1. Relation to adjacent land and building. The location and size of use, the nature and intensity of operations, the size of site in relation to operations, and the location of the site with respect to existing or future roads and highways providing access thereto, shall be in harmony with the orderly development of the district; and the location, nature and height of buildings, walls and fences, shall not discourage the appropriate development and use of adjacent land and building, or impair their value.
2. Character of operations. Operations shall not be more objectionable to nearby properties by reason of noise, vibrations, dust, fumes, smoke, or flashing lights than the operation of any permitted use.

ARTICLE IV: ADMINISTRATION

Section 4.01. Zoning Administrator. The provisions of this ordinance shall be administered and enforced by a Township Zoning Administrator, appointed by the Zoning Commission for such term and subject to such conditions, as said commission shall determine as reasonable and subject to the final approval of the Hartford Township Board.

Section 4.02. Certificates of Approval.

1. No building or structure subject to the provisions of this ordinance shall hereafter be erected or moved and used upon any premises, until application for a Certificate of Approval has been filed with the Township Zoning Administrator, and the administrator has issued each certificate. Such certificate shall be nontransferable, and must be granted before any work of excavation, construction or movement is begun.
2. The application shall be signed by the owner of the premises or his qualified agent, and shall certify that all provisions of this ordinance and other applicable law and requirements are to be complied with.
3. The application shall be made in triplicate on forms provided by the Township which forms shall provide space for declaring such information and intent required to determine compliance with the ordinance.
4. The Zoning Administrator shall determine whether the building or structure and the land used thereof, as set forth on the application, are in conformity with the provisions of this ordinance, and if he so finds, he shall issue a Certificate of Approval, and when such certificate is refused, he shall state the cause in writing. One copy of the application with proper notations thereon, or attached thereto, including approval or disapproval and date, shall be placed on file with the Zoning "Commission as a record; one copy shall be filed with the Township Supervisor and one such copy shall be returned to the applicant. Accessory buildings, when erected at the same time as the principal building and shown on the application, shall not require a separate certificate.
5. Certificates of Approval, under which no work has been done above the foundation walls within six (6) months from the date of issue, shall expire by limitation but may be renewed for an additional six (6) months from the date of expiration upon application and payment of 50 percent of the total of the original fee to the Township Treasurer, subject, however, to the provisions of the Zoning Ordinance when in force.
 - A. ****amended November 9, 1971 and effective December 20, 1971, by Ordinance No. 5** to read** Certificates of Approval shall for the erection and use of trailer coaches and/or mobile homes shall expire by limitation and be void sixty days after the date of issuance, unless the trailer coach and/or mobile home for which such a permit was obtained has been moved in and erected and the provisions of Article VIII, paragraph G of Ordinance Number 1 have been complied with, within said sixty period.
6. The Zoning Administrator shall have the power to revoke or cancel any Certificate of Approval in case of failure or neglect to comply with any of the provisions of this ordinance, or in the case of any false statement or misrepresentation made in the application. The owner of premises shall be notified of such revocation in writing.
7. It shall be the duty of all architects, contractors, and other persons having charge of erection, alteration, or movement of a building structure, subject to the provisions of this ordinance, to determine that proper certificate has been granted therefore before undertaking any such work. And all such persons performing any work in violation of the provisions of this ordinance shall be deemed guilty of violation in the same manner as owner of the premises.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

8. ****amended July 11, 1970** to read** A minimum fee of \$5.00 for the cost estimated of \$100.00 to \$5,000.00, thereafter \$1.00 per thousand dollars with a maximum of \$100.00. The cost estimates are to be based on actual estimates of labor and materials. In case of gross misrepresentation, the Zoning Administrator can call for an appraisal, to be paid for by the party or parties obtaining a permit.

Should a party fail to obtain a permit prior to beginning construction or excavation or movement, where a permit is required, an additional charge amounting to double the cost of the regular permit, plus the cost of the regular permit be made.

Section 4.03. Special Permits.

1. Application for a special permit shall be made in writing and shall accompany the application for a Certificate of Approval, required under the provisions of Section 4.02 of the ordinance.
2. Application for a special permit shall be accompanied by a plan for the proposed use. This plan, where applicable, shall show the location of all buildings, structures, parking areas, open spaces, traffic access and circulation, landscaping, including screening, and any other information necessary to determine the conformance of the proposed use with the provisions of Section 1.02 of the ordinance.
3. The Zoning Administrator shall make such investigation as may be necessary to determine whether the proposed special use complies with the requirements of section 3.17 of the ordinance. A report of the Administrator's findings and action shall be filed with the Township Zoning Commission. If the Zoning Administrator finds that the proposed use is in compliance with the requirements of Section 3.17, he shall proceed with the processing of the application of Certificate of Approval as set forth in Section 4.02. In the event that the Zoning Administrator denies the application for a special use permit, the Zoning Board of Appeals shall be notified and the application shall be referred to the board, together with all reports relevant thereto, for consideration at the next regular meeting of the board of appeals. In no case, however, shall a period exceeding thirty (30) days elapse between the filing of the special permit application and the time of notice to the Board of Appeals.

Section 4.04. Certificate of Compliance. No building or structure or part thereof for which a Certificate of Approval has been issued shall be occupied or used until a Certificate of Compliance has been issued by the Zoning Administrator stating that the building or structure or proposed use complies with the requirements of this ordinance. Within ten (10) days after written notifications that the building or structure is complete, the Zoning Administrator shall make inspection thereof and if it is found to be in conformity with the provisions, he shall issue the owner a Certificate of Compliance and record his action, including the date on the copy of the application for a Certificate of Approval. No fee shall be charged for a Certificate of Compliance when coincidental with the application for Certificate of Approval.

ARTICLE V: BOARD OF APPEALS

There is hereby created a Board of Appeals which shall perform its duties and exercise its powers as provided by Act 184 of the Public Acts of 1943, as amended, and by the provisions of this ordinance, to the end that the objectives of this ordinance are observed and public safety, health, morals, and general welfare secured and substantial justice done.

ARTICLE VI: DEFINITIONS

For the purpose of this ordinance, certain terms used are herewith defined, when not inconsistent with the context words used in the present tense include the future; words in the singular include the plural number, and conversely. The word "shall" is always mandatory, and not merely directory.

Section 6.01. Accessory Building or Structure. A supplementary building or structure on the same premises as the main building or structure and occupies by or devoted exclusively to an accessory use but such use shall not include the use for dwelling or lodging purposes, or sleeping quarters for human beings.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

Section 6.02. Building. Any structure, either temporary or permanent, having a roof or used or build for the shelter or enclosure of persons, animals, chattels, or property of any kind. This shall include tents, awnings, and vehicles whether mounted or not on wheels as situated on private property and used for purposes of a building.

Section 6.03. Building Line. A line extending the full line width of the lot from side lot line to side lot line parallel to and at a distance of one hundred ten (110) feet from the centerline of highways under the jurisdiction of the Michigan State Highway Department or eighty-three (83) feet from the centerline of roads under the jurisdiction of the Van Buren County Road Commission, except when such highways are located within subdivisions of plats or record, in which case a distance of fifty-eight (58) feet from the highway centerline shall be observed.

Section 6.04. Cabin Camp. Any parcel of land on which two or more buildings, tents, or similar structures are maintained, offered or used for dwelling or sleeping quarters for transients, but shall not include what are commonly designated as lodging house or tourist homes.

Section 6.05. Dwellings. Any building or part thereof occupied as the home, residence and sleeping place of one or more persons, except for trailer coaches, motels, cabins and similar facilities offered to transients.

Section 6.06. Erected. Includes built, constructed, reconstructed, moved upon, or any physical operations on the land required for the building. Excavations fill, drainage, and the like, shall be considered a part of erection.

Section 6.07. Family. A collective body of persons consisting of parents or children, or other relatives, domestics or servants residing together in one dwelling and under one head or one domestic government.

Section 6.08. Farms. All of the un-platted, contiguous, neighboring or associated land operated as a single unit on which bona fide farming is carried on directly by the owner-operator, manager, or tenant-farmer by his own labor or with the assistance of members of his household or hired employees; provided, however, that land to be considered a farm hereunder shall include a contiguous, un-platted parcel of not less than ten (10) acres in area, provided, further that orchards, hatcheries, and similar specialized agricultural enterprises may be considered as farms, but establishments keeping fur bearing animals, game or operated as fish hatcheries, dog kennels, stock yards, slaughterhouses, stone quarries, gravel pits or the removal and sale of top soil, fertilizer works, boney yards, piggeries or for the reduction of animal matter or for the disposal of garbage, sewage, rubbish, junk or offal, shall not constitute a farm hereunder.

Section 6.09. Highway, Road or Street. Any public vehicular, thoroughfare, except alleys, including county, federal and state roads and highways.

Section 6.10. Home Occupations. A gainful occupation conducted by members of the family only, within its place of residence; provided, that the space used is incidental to residential use and occupies not more than twenty-five percent of the area of one floor and employs not more than one paid assistant.

Section 6.11. Lot. The parcel of land on which one (1) principal building and its accessories are placed together with the open spaces required by this ordinance. A lot need not be a lot of existing record.

Section 6.12. Roadside Stand. A farm structure or piece of work artificially built up or composed of parts joined together in some definite matter; and construction, including dwellings, garages, buildings, signs, and sign boards.

Section 6.13. Trailer Coach. Any vehicle used or so constructed as to permit its being used as a conveyance upon public streets or highways and duly licensable such as, and shall include self-propelled, vehicles so designed, constructed, reconstructed, or added to by means of enclosed room or area in such manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons, whether mounted on wheels or dismounted and located on a foundation or other support.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

Section 6.14. Yard. A space open to the sky and unoccupied or unobstructed on the same lot with a building or structure. Yard measurements shall be the minimum horizontal distances.

1. Yard, front. A yard extended the full width of the lot or parcel of land between the front, or thoroughfare right-of-way line, and the nearest line of the main building.
2. Yard, rear. A yard extended across the full width of the lot between the rear lot line and nearest line of the main building.
3. Yard, side. A yard extended from the front yard to the rear yard between the side lot line and nearest line of the main building or any accessory building.

Section 6.15. Parking Space. An area enclosed or unenclosed, sufficient in size to store one (1) automobile together with a driveway connecting the parking space or alley and permitting egress and ingress of an automobile.

Section 6.16. Word Requiring Special Interpretation. Any word requiring interpretation and not listed above shall be used as defined in the housing law of Michigan, Act 167 of the Public Acts of 1917, as amended.

ARTICLE VII: AMENDMENTS

Section 7.01 Initiation of Amendments. Amendments of this ordinance may originate with the Township Board or the Zoning Commission by resolution of the majority of the respective membership, or by written petition signed by no less than eight (8) percent of the owners of property located in the Township and filed with the Township Clerk, such petition shall include the address of each signer and the location of his property in the township.

Section 7.02. Procedures

1. Each proposed amendment not originating with the Zoning Commission shall be referred to said commission for its consideration and recommendation.
2. The Zoning Commission may hold a public hearing on its recommendation. When any amendment proposes the rezoning of any premises, a public hearing shall be held and the Zoning Commission shall cause the premises to be posted thirty (30) days prior to the date of hearing, with at least one sign stating the premises are under consideration for rezoning, the time, and place of the hearing.
3. Adoption and enactment of amendments shall be in accord with Section 14 of Act 184 of the Public Acts of 1943, as amended.

Section 7.03. Spot Zoning. In case any petition requests rezoning of individual parcels of land, the petition shall state the specific use or purpose for which rezoning is sought. If granted, it shall be illegal to use any parcel for any other use, even though such other use or purpose is permitted under the district regulations in which the parcel is classified unless separate proceedings are pursued for such other use.

ARTICLE VIII: PENALTIES

1. Any building or structure which is erected, altered, maintained or used, or any use of land which is begun, maintained, or changed in violation of any provision of this ordinance is hereby declared to be a nuisance per se. Any person, firm, corporation or organization which violates, disobeys, omits, neglects or refuses to comply with, or resists the enforcement of any provision, shall be fined upon conviction, not less than \$10.00 nor more than \$100.00, together with the costs of prosecution; or shall be punished by imprisonment in the county jail for not less than ten (10) days, not more than ninety (90) days for each offense; or may be both fined and imprisoned as provided herein at the discretion of the court. Each and every day during which an illegal erection, alteration, maintenance or use continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this ordinance.
2. The Township Board of Zoning Commission, the Board of Appeals, the Prosecuting Attorney of the county, or any owner, or owners of real estate may institute injunction, mandamus, abatement or any other appropriate action, or proceedings to prevent, enjoin, abate or remove any said unlawful erection,

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

alteration, maintenance of use. The rights and remedies provided herein are cumulative and in addition to all other remedies provided by law.

ARTICLE IX: VALIDITY

The ordinance and the various part, sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, sentence, phrase or clause, is adjudged unconstitutional or invalid, it is hereby provided that the remainder of this ordinance shall not be affected hereby. The Hartford Township Board hereby declares that it would have passed this ordinance and each part, section, subsection, phrase, sentence, and clause, thereof, irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences or clauses be declared invalid.

APPENDIX B

Hartford Township: Town 3 South Range 16 West

All of the incorporated area of said Township shall be zoned district "A", with the exception of the following described parcels.

Section 3.

District C. That portion of the southwest quarter lying east of CR 687, west of the RR and south of Carmichael Road to 52nd Ave.

Section 5. ****amended November 1, 1988 and effective December 27, 1988 by Ordinance No. 20** to read**

District R1. All of the sub-divisions of record lying adjacent to and abutting upon the water's edge of Rush Lake.

That portion bounded by 66th Street, Rush Lake Road, CR 372, and the East-West Quarterline in said Section 5 (excepting that portion zoned District "R1" above.)

Section 6.

District R1. That portion of the southeast quarter of the northeast quarter of said Section 6, bounded by the water's edge of Rush Lake and Rush Lake Rd.

District R2. A strip of land 500' in width around Rush Lake (excepting that portion zoned District "R1 above.)

Section 8.

District I. That portion of Section 8, lying south of the Paw Paw River.

Section 9.

District C. That portion of the east half of the southeast quarter of said Section 9, lying east of the Chesapeake and Ohio Railroad, then south of the Paw Paw River.

District I. That portion of the Section 9, lying south of the Paw Paw River (excepting that portion zoned District "C" above.)

Section 10.

District R1. That portion of the southwest quarter of said Section 10, bounded by the Paw Paw River, the westerly water's edge of the Mill pond, and the centerline of County Road 687.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

District C. A strip of land 500' in width in northwest quarter, lying east of County Road 687.

That portion of the southwest quarter of Section 10, bounded by the Paw Paw River, the centerline of County Road 687 and the west line of said section (excepting that portion zoned District "R1" above.)

Section 11.

District I. That portion of the southeast quarter of Section 11, lying south of the Paw Paw River.

District 12.

District I. That portion of the west half of Section 12, bounded by the Paw Paw River, and the centerline of 59 ½ Street, that portion of the north half of Section 12, lying south of Butcher Road and east of 59 ½ Street (excepting a 500' strip on either side of 59 ½ Street north of the C&O Railroad and south of the Paw Paw River to be zoned Residential I.)

That portion of the south half of Section 12, lying east of 59 ½ Street.

District C. That portion of Section 12, lying south of Red Arrow Highway.

District R2. That parcel of land in the northwest quarter of Section 12 lying north and west of Paw Paw River and west of 59 ½ Street.

Section 13.

District C. The northeast quarter of Section 13, also a 500' strip of land in the northwest quarter lying south of the centerline of Red Arrow Highway.

District I. That portion of the northwest quarter of said section lying north of the Red Arrow Highway.

Section 14. ****amended November 1, 1988 and effective December 27, 1988 by Ordinance No. 20** to read**

District R1. That recorded plat of Springdale Manor (excepting that portion zoned District "C" and District "I" below.)

District C. Lots 3, 4, 5, 6, 7, 8, 9, 53, and 54 of the recorded plat of Springdale Manor. A strip of land 500' wide lying south of centerline of Red Arrow Highway.

District I. Lots 1, 2, and 55 of the recorded plat of Springdale Manor, also that portion of the northeast quarter lying south of Red Arrow Highway.

That portion of Section 14, lying between the centerline of Red Arrow Highway and the Paw Paw River.

Section 15. ****amended November 9, 1971 and effective December 20, 1971 by Ordinance No. 6**
amended December 12, 1973 and effective January 30, 1974 by Ordinance No. 12 to read**

District R1. The west half of the southeast quarter of Section 15. (excepting that portion zoned District "C" below)

District C. The east half of the southeast quarter of Section 15.

That portion of the northeast quarter of Section 15, lying south of the Chesapeake and Ohio Railroad.

The Southeast Quarter of the Southeast Quarter of Section 15, Town 3 South, Range 16 West.

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

Commencing twenty (20) rods thirty-two (32) links South of center of Section 15, Town 3 South, Range 16 West, thence East twenty (20) rods, thence South parallel with the North and South quarter line twenty (20) feet, thence Westerly to beginning. ALSO Commencing at the intersection of the center line of US 12 Highway with the West line of the Northwest quarter of the Southeast quarter of Section 15, Town 3 South, Range 16 West, according to the Government Survey thereof, thence Easterly in the center of said Highway to a point 19 rods due East of the West line of the Northeast quarter of the Southeast quarter of said Section 15, thence South parallel with the North and South quarter line 266.1 feet, thence West to said North and South Quarter line, thence North on same to beginning.

Commencing on the North and South $\frac{1}{4}$ line at a (21) rods seven (7) links South of the Northwest corner of the Southeast $\frac{1}{4}$ of Section 15, Town 3 South, Range 16 West, according to the Government Survey thereof, thence East twenty (20) rods, thence eight (8) rods, thence West twenty (20) rods to said Quarter line, thence North on same eight (8) rods to beginning. (Except commencing at a point twenty-one (21) rods seven (7) links South of the Northwest corner of the Southeast $\frac{1}{4}$ of said Section 15, thence East twenty (20) rods, thence South parallel with the North and South $\frac{1}{4}$ line twenty (20) feet, thence Westerly to beginning).

District I. That portion of the north half of said section, lying south of the Paw Paw River.

Section 16. ****amended November 1, 1988 and effective December 27, 1988 by Ordinance No. 20** to read**

District R1. That portion of the west half Section 16, lying outside the corporate limits of the City of Hartford (excepting that portion zoned District "C" and District "I" below.)

District C. A strip of land 500 feet in width lying along the South side of Red Arrow Highway and adjacent to the centerline of same, extending from the corporate limits of the City of Hartford, westerly to the Section line, excepting that part thereof lying within West Hartford Subdivision. Also to include that parcel commencing at the intersection of the centerline of Red Arrow Highway and the North and South Quarter line and thence North on the Quarter line 297 feet; thence North 89 degrees 29' West, 333.67 feet; thence South to centerline of Red Arrow Highway; thence easterly along said centerline to beginning.

District I. The north half of the northwest quarter of Section 16.

Section 17.

District R1. A strip of land 500' wide lying north of Red Arrow Highway.

A strip of land 500' wide west of centerline of 66th Street bounded by Red Arrow Highway and south Section line.

District I. The strip of land south of Red Arrow Highway except that zoned R1 above.

Section 18.

District R1. Res' a strip of land 500' wide lying north of Red Arrow Highway.

Section 19.

District R1. That Strip of land 500' wide lying north of Red Arrow Highway

District I. That portion of Section 19, lying between the centerline of I-94 and the centerline of Red Arrow Highway.

Section 20. ****amended November 1, 1988 and effective December 27, 1988 by Ordinance No. 20** to read**

Hartford Township, Van Buren County, Michigan
Ordinance Number 2
The Hartford Township Zoning Ordinance

District I. That portion of said Section lying north of the centerline of I-94 except the East 500 feet thereof.

Section 21. ****amended November 9, 1971 and effective December 20, 1971 by Ordinance No. 6** to read**

District I. That portion of Section 21, lying north of the centerline of I-94, and south of the Chesapeake & Ohio Railroad.

District R1. That portion of Section 21 lying north of the Chesapeake & Ohio Railroad

District C. The east 500' of the southeast quarter of the Northeast quarter.

The Southeast Quarter of Section 21, Town 3, South, Range 16 West, lying South of Highway I-94.

Section 22. ****amended November 9, 1971 and effective December 20, 1971 by Ordinance No. 6** to read**

District C. The West Half of the Northwest Quarter of Section 22, Town 3 South, Range 16 West.

The Southwest Quarter of Section 22, Town 3 South, Range 16 West, lying South of Highway I-94.

Section 30.

District I. That portion of Section 30 lying north of I-94.

Section 33.

District I. The southeast quarter of said section 33.

The south half of the northeast quarter of said Section 33.

Approved by the Van Buren County Zoning Commission: June 15, 1966

Adopted by the Hartford Township Board: September 3, 1966

Readopted and given immediate effect by the Township Board of the Township of Hartford, Van Buren County Michigan: February 16, 1971.

Hartford Township, Van Buren County, Michigan
Ordinance Number 3
To Regulate Outdoor Storage of Dismantled, Partially Dismantled or Inoperable Motor
Vehicles, Machinery and Equipment

An ordinance to regulate the outdoor storage of dismantled, partially dismantled or inoperable motor vehicles, machinery and equipment in the Township of Hartford, Van Buren County, Michigan and to provide penalties for the violation thereof.

The Township of Hartford ordains:

Section 1. Regulations. No person, firm or corporation, except as shall be duly licensed under the ordinances of said Township, shall park or store on any lands within the Township of Hartford, any dismantled, partially dismantled or inoperable motor vehicle, machinery, equipment or household appliance unless same shall be kept in a wholly enclosed building or structure.

Section 2. Definitions.

1. An inoperable motor vehicle is hereby defined as being such vehicle which by reason of dismantling, disrepair, or any other cause, is incapable of being propelled under its own power. Any motor vehicle which has a main component part missing or unattached shall be construed as being dismantled, or partially dismantled.
2. Inoperable machinery, equipment or household appliance are hereby defined as being such machinery, equipment or household appliance that by reason of dismantling, disrepair or any other cause is incapable of functioning as it was intended to function. Any such equipment, machinery or household appliance which has some part or parts which are ordinarily a component of such machinery, equipment or household appliance removed or missing shall be construed as being dismantled or partially dismantled.

Section 3. Enforcement.

1. The provisions of this ordinance shall be enforced by the Township Zoning Administrator. The owner and/or occupant of any land upon which a condition as set forth in Section 1 is found to exist shall be notified in writing to remove or eliminate such condition within ten (10) days after service of the notice upon him. Such notice may be served personally or by registered or certified mail, return receipt requested.
2. Failure to comply with said notice within the time allowed therein shall constitute a violation of this ordinance.

Section 4. Penalties. ~~Any person, firm or corporation who violates or fails to comply with any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not to exceed \$100.00 and costs of prosecution, or by imprisonment in the County Jail for a term not exceeding 90 days or by both such fine and imprisonment in the discretion of the Court.~~ **Amended June 17, 2013 with Ordinance 38a**

- a. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.
- b. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- c. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction in addition to any other relief or sanction herein set forth or allowed by law.
- d. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

Hartford Township, Van Buren County, Michigan
Ordinance Number 3
To Regulate Outdoor Storage of Dismantled, Partially Dismantled or Inoperable Motor
Vehicles, Machinery and Equipment

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

*Passed by the Township Board of the Township of Hartford, Van Buren County, Michigan on February 16, 1971.
Effective date April 2, 1971*

Hartford Township, Van Buren County, Michigan
Ordinance Number 9

Regarding the Partitioning or Division of any Lot, Outlot or Parcel of Land in a Recorded Plat

An ordinance pursuant to the Michigan Subdivision Control Act of 1967 regarding the partitioning or division of any lot, outlot or parcel of land in a recorded plat.

The Township of Hartford Ordains:

Section 1. Division Restrictions. Any lot, outlot or other parcel of land in a recorded plat may be further partitioned or divided into not more than four (4) part, when said partition or division is approved by the Hartford Township Board.

Section 2. Application. Application for the partition or division of a lot, outlot or other parcel of land in a recorded plat shall be made by the owner thereof and filed with the Hartford Township Clerk and shall state the reasons for said proposed partition or division.

Section 3. Request for Suitability Review and Approval. The Hartford Township Board may request the review and comment by the Van Buren Planning Commission in regard to said application and if the resulting lots, outlots or other parcels of land resulting from said application or division are to be used as building sites, said application shall not be approved by said Hartford Township Board until the suitability of said land for building purposes has been approved by the Van Buren County Health Department.

Section 4. Roadway and Utility Access; Lot Size Requirements. The resulting lots, outlots or other parcels of land shall each have direct access to a public roadway and public utilities necessary or required to serve such lots and same shall have a minimum width of 75 feet and a minimum area of 12,000 square feet; provided, however, that said width and area requirements may be waived by said Hartford Township Board where connection to a public water and public sewer system is available and accessible.

Section 5. Enforcing Agency. ~~The provisions of this ordinance shall be enforced by the Township Zoning Administrator and any person, firm or corporation who violates or fails to comply with any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall upon conviction, be punished by a fine of not to exceed \$100.00 and costs of prosecution or by imprisonment in the County Jail for a term not to exceed 90 days or by both such fine and imprisonment in the discretion of the Court.~~ *Amended June 17, 2013 with Ordinance 38a

The provision of this ordinance shall be enforced by the Township Zoning Administrator.

Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Hartford Township, Van Buren County, Michigan
Ordinance Number 9

Regarding the Partitioning or Division of any Lot, Outlot or Parcel of Land in a Recorded Plat

Section 6. Effective Date. This ordinance shall take effect on the 30th day of January, 1974.

*Adopted by the Township Board of the Township of Hartford, Michigan on December 12, 1973
Effective January 30, 1974*

Hartford Township, Van Buren County, Michigan
Ordinance Number 15
Hartford Township Public Entertainment Ordinance

An ordinance to protect and secure the public health, Safety and general welfare by the regulation of certain forms of commercial entertainment and personal service within the Township of Hartford, Van Buren County, Michigan; to provide penalties for the violation of the provisions of this ordinance and to repeal any ordinances or parts of ordinances in conflict herewith.

The Township of Hartford ordains:

Section 1. Title. This Ordinance shall be known and cited as the Hartford Township Public Entertainment Ordinance.

Section 2. Purpose. The purpose of this Ordinance is to regulate public commercial entertainers and serves involving dancing, monologues, pantomimes, and other personal type of body exhibitions, contortions or display, and personal service provided by any waitress, barmaid, waiter, bartender, performer, or other person by establishments within the Township where such public commercial entertainment and personal service of customer is presented, promoted, permitted or provided, to thereby prohibit any lewd, obscene, immoral, or unduly sexually stimulating entertainment acts, shows, or personal exhibitions or displays.

Section 3. Regulations.

- A. No person, firm or corporation shall permit or allow any form of commercial public entertainment or personal service by any waitress, barmaid, waiter, bartender, performer, or other person of customers to be presented or provided within his, its or their establishment, nor shall any such person engage in, present, or provide any form of public entertainment or personal service of customers within Hartford Township involving any lewd, obscene, immoral, or unduly sexually stimulating dancing, monologues, pantomimes, or other types of body exhibitions, contortions, display or personal service. Waitresses, barmaids, waiters or bartenders without substantial covering of the genital area and/or without covering the female breasts at a point immediately above the top of the areola, are specifically prohibited.
- B. The prohibited conducted, display or personal service prohibited by this Ordinance is hereby defined as that which, when taken as a whole, appeals to the prurient interest in sex, which portrays sexual conduct in a patently offensive way, and which, taken as a whole, does not have serious literary, artistic, political, or scientific value, so that the average person, applying contemporary community standards would find such conduct, display, or personal service appeals to the prurient interest.

Section 4. Saving Clause. The provisions of this Ordinance are hereby declared to be separable 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 the Ordinance other than said part or portion thereof.

Section 5. Penalty. ~~Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or by imprisonment in the county jail for not to exceed ninety (90) days, or by both such fine and imprisonment. Each day that a violation continues to exist shall constitute a separate offence. In addition to the criminal sanctions herein provided, the Township may institute injunctive proceedings, or other appropriate civil proceeding to prevent, enjoin, abate or remove any violations of this Ordinance.~~ *Amended June 17, 2013 by Ordinance No. 38a

Violation and Penalty. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

Hartford Township, Van Buren County, Michigan
Ordinance Number 15
Hartford Township Public Entertainment Ordinance

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 6. Repeal. All ordinances, resolutions or orders, or parts thereof, of the Township of Hartford, in conflict with the provisions of this ordinance are, to the extent of such conflicts, hereby repealed.

Section 7. Effective Date. This Ordinance shall take effect on the 1st day of August, 1979.

*Adopted by the Township Board of the Township of Hartford, Michigan June 13, 1979
Effective August 1, 1979*

Hartford Township, Van Buren County, Michigan
Ordinance Number 16
Hartford Township Pornographic Material Control Ordinance

An ordinance to protect and secure public health, safety and general welfare by the regulation of the public display of pictorial, printed or manufactured offensive pornographic material within the Township of Hartford: to provide penalties for the violation of the provisions of this ordinance, and to repeal any ordinances or parts of ordinances in conflict herewith.

The Township of Hartford Ordains:

Section 1. Title. This Ordinance shall be known and cited as the Hartford Township Pornographic Material Control Ordinance.

Section 2. Regulations. It shall be unlawful for any person acting in a managerial capacity or being the owner, proprietor, operator or manager of a business to knowingly place pornographic, offensive material upon public display, for purposes of sale, entertainment, or distribution, or fail to take prompt action to remove such a display from property in his control after learning of its existence. The prohibition of this section shall not apply to broadcasts or telecasts through facilities licensed under the Federal Communications Act.

Section 3. Definitions. For purposes of this Ordinance:

- A. “Pornographic material” means any picture, photograph, drawing, sculpture, motion picture, film, model, devise or other visual representation or image depicting uncovered, or less than opaquely covered, post pubertal human genitals or pubic areas in a lewd fashion, or depicting human sexual intercourse, human or animal masturbation, bestiality, oral intercourse, anal intercourse, human-animal intercourse, excretory functions, homosexual acts, direct physical stimulation or touching of unclothed genitals or pubic areas of the human male or female, flagellation or torture by or upon a person who is nude or clad in revealing or bizarre costumes in the context of a sexual relationship or sexual stimulation. The material shall be judged without regard to any covering which may be affixed or printed over the material in order to obscure genital areas in a depiction otherwise falling within the definition of these subsections. Works of art or of anthropological significance are not included within the definition of this paragraph.
- B. “Offensive” means that the work in which the representations appear, taken as a whole by the average person, applying contemporary community standards, appeals to the prurient interest and depicts or portrays the prohibited pornographic material in a patently offensive way, and which lacks serious literary, artistic, political, or scientific value.
- C. “Public display”, in the context of films or motion pictures, means the projection of said films or motion picture on any viewing screen inside or outside a building or theatre. In the context of photographs, drawings, sculptures, or other visual representations or printed material, “public display” shall mean the placing of materials within the definition of subparagraph “A” and “B” on or in a newsstand, display rack, window, showcase, display case or similar place so that said material is easily visible from a public thoroughfare, from the property of others, from a common walk or mall, or from that portion of the interior of places of business generally open to persons under the age of majority while such material is displayed.

Section 4. Penalties. ~~Every person who violates or refuses to comply with any section of this Ordinance shall be guilty of a misdemeanor. Upon conviction thereof, he shall be punishable by a fine of not to exceed One Hundred Dollars (\$100.00), or by imprisonment for not to exceed ninety (90) days or by both. Each day during which a violation continues shall be deemed a separate offense. In addition to the criminal sanctions herein provided, the Township may institute injunctive proceedings or other appropriate civil proceedings to prevent, enjoin, abate or remove any violation of this Ordinance.~~ *Amended June 17, 2013 by Ordinance No 38a

Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

Hartford Township, Van Buren County, Michigan
Ordinance Number 16
Hartford Township Pornographic Material Control Ordinance

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 5. Saving Clause. The provisions of this Ordinance are hereby declared to be separable 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 the Ordinance other than said part or portion thereof.

Section 6. Repeal. All ordinances, resolutions or orders, or parts thereof, of the Township of Hartford, in conflict with the provisions of this ordinance are, to the extent of such conflicts, hereby repealed.

Section 7. Effective Date. This ordinance shall take effect on the 1st day of August, 1979.

*Adopted by the Township Board of Township of Hartford, Michigan on June 13, 1979
Effective August 1, 1979*

Hartford Township, Van Buren County, Michigan
Ordinance Number 22
Enforcing Agency: Building, Mechanical, Electrical, and Plumbing Codes

An ordinance to designate an enforcing agency to discharge the responsibilities of the Township or Hartford, Michigan under the provision of the State Construction Code Act (Act 230 of the Public Act of 1972, as amended, and the State Construction Code Promulgated thereunder) RE: State Building, Mechanical, Electrical, and Plumbing Codes; and to provide for the establishment of a fee schedule; and to provide for criminal penalties and civil remedies for the violation of this ordinance or the act or state construction code promulgated thereunder, and adopted herein; and to repeal all existing Township Ordinances in conflict herewith.

The Township of Hartford, Van Buren County, Michigan ordains:

Section 1. Assumption of Responsibility for Enforcement of State Construction Code. In accordance with and pursuant to Section 8 and Section 9 of the State Construction Code Act of 1972 (Act 230 of the Public Acts of 1972, as amended) the Township of Hartford hereby assumes the responsibility for the administration and enforcement of said Act within its boundaries in regard to the State Building, Mechanical, Electrical, and Plumbing Codes, and hereby adopts by reference, the State Construction Code in regard to said Building, Mechanical, Electrical, and Plumbing Codes.

Section 2. Agency Designated. Pursuant to the provisions of Section 9 of said Act 230 of the Public Acts of 1972, as Amended (State Construction Code), the Building Official, Mechanical Official, Electrical Official, and Plumbing Official of the Township of Hartford, Michigan are hereby designated as the enforcing agencies to discharge the responsibilities of the Township of Hartford under said Act 230 of the Michigan Public Acts of 1972, as Amended.

Section 3. Provisions for Additional Person or Persons. The Township of Hartford, Michigan may designate an additional person or persons or agent of said Building Official, Mechanical Official, Electrical Official or Plumbing Official to discharge the responsibility of said Township under the aforesaid Act and Codes.

Section 4. Establishment of Fee Schedule. The Township of Hartford shall have authority to establish, by Resolution, at any regular or special meeting, a schedule of fees, rates, and charges for the administration and enforcement of this Ordinance, and the Act and State Construction Code promulgated thereunder and adopted herein; provided that the same shall be reasonable and bear a reasonable relationship to the cost and expense of such administration, enforcement and activity. The Township of Hartford shall further have the right to amend by Resolution the aforementioned schedules from time to time.

Section 5. Violations and Penalties. ~~Any person, firm or corporation who violates or fails to comply with the provisions of this Ordinance or the Act or State Construction Code regarding the Building, Mechanical, Electrical and Plumbing Codes, shall be deemed guilty of a misdemeanor and shall upon conviction, be punished by a fine not to exceed \$100.00, and costs of prosecution, or by imprisonment in the county jail for a term not exceeding ninety (90) days, or by both such fine and imprisonment, in the discretion of the Court. Each day that a violation of this Ordinance exists shall constitute a separate offense; In addition, the Township of Hartford shall have authority to proceed in any Court of competent jurisdiction for the purpose of obtaining injunctive relief or other appropriate remedy to compel compliance with this Ordinance.~~ *Amended with Ordinance No 38a June 17, 2013

- A. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- B. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

Hartford Township, Van Buren County, Michigan
 Ordinance Number 22
 Enforcing Agency: Building, Mechanical, Electrical, and Plumbing Codes

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 6. Repeal of Conflicting Ordinances. All other Ordinances or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and each Section of this Ordinance, and each subdivision of any Section thereof, is hereby declared to be independent, and in finding or holding of any Section or subdivision thereof to be invalid or void, shall not be deemed or held to affect the validity of any other Section or subdivision of this Ordinance.

Section 7. This Ordinance shall become effective the 26th day of March, 1990.

*Adopted by the Township Board of the Township of Hartford, Van Buren County, Michigan February 8, 1990
 Effective March 26, 1990*

Hartford Township, Van Buren County, Michigan
 Ordinance Number 23
 Regulation of Year Round Occupancy of Trailer Coaches, Mobile Homes and
 Relocatable Homes (outside of established Trailer or Mobile Home Parks.)

An ordinance to regulate year round occupancy of trailer coaches, mobile homes and relocatable homes (outside of established trailer or mobile home parks).

The Township of Hartford, Van Buren County, Michigan ordains:

Section 1. Compliance with Michigan Mobile Home Commission. That in order to protect the safety, health, and prosperity, comfort, convenience and welfare of the public, each trailer coach, mobile home and pre-manufactured dwelling structure hereinafter set up in the Township (outside of trailer or mobile home parks), shall contain a seal or other proof of inspection as provided in Act 419 of the Michigan Public Acts of 1976 (M. S. A. 19.855 et seq) as Mended; that same was manufactured and constructed under standards promulgated by the Federal Department of Housing and Urban Development pursuant to the Federal Manufactured Housing Construction Act of 1974, being 42 U. S. C. 5401 to 5426, as Amended; and shall further be set up or installed pursuant to the manufacturer’s recommended set up and installation specifications or the set up and installations standards promulgated by the Federal Department of Housing and Urban Development pursuant to the aforesaid Federal Act, which set up and installation specifications shall, at the minimum, comply with the Michigan Mobile Home Commission Rules as promulgated under the aforesaid Michigan Act.

Section 2. Exceptions to Standards. The foregoing requirements and standards shall not apply to a trailer coach, mobile home or pre-manufactured dwelling located in a licensed mobile home park, except to the extent that same may be required by State law or otherwise specifically required by an Ordinance hereinafter adopted by said Township, pertaining to such parks.

Section 3. Conflicting Ordinances Repealed. All other Ordinances or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and each section of this Ordinance and each subdivision of any section thereof, is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void, shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

Section 4. Violations and Penalty Fines. ~~Any person, firm or corporation who violates or fails to comply with the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed \$100.00, and costs of prosecution or by imprisonment in the County jail for a term not exceeding ninety (90) days, or by both such fine and imprisonment, in the discretion of the Court. Each day that a violation of this Ordinance exists shall constitute a separate offense. In addition the Township of Hartford shall have authority to proceed in any Court of competent jurisdiction for the purpose of obtaining injunctive relief or other appropriate remedy to compel compliance with this Ordinance.~~ ***Amended June 17, 2013 by Ordinance No 38a**

- A. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- B. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Hartford Township, Van Buren County, Michigan
Ordinance Number 23
Regulation of Year Round Occupancy of Trailer Coaches, Mobile Homes and
Relocatable Homes (outside of established Trailer or Mobile Home Parks.)

- C. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 5. Effective Date. This Ordinance shall become effective on the 26th day of March, 1990.

*Adopted by the Township Board of the Township of Hartford, Van Buren County, Michigan February 8, 1990.
Effective March 26, 1990*

Hartford Township, Van Buren County, Michigan
Ordinance Number 24
Consumers Power Company Gas Franchise Ordinance

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 on, along, across, and under the highways, streets, alleys, bridges, and other public places, and to do a local gas business in the township of Hartford, Van Buren County, Michigan for a period of thirty years.

The Township of Hartford ordains:

Section 1. Grant, Term. The Township of Hartford, 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 on, along, across and under the highways, streets, alleys, bridges and other public places, and to do a local gas business in the Township of Hartford, 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 thereof.

Section 3. Conditions. No highway, street, alley, bridge 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 the Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes.

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 hereby given, 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. Extensions. Said Grantee shall construct and extend its gas distribution system with said Township, and shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations.

Section 6. Franchise not Exclusive. The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

Section 7. Rates. Said Grantee shall be entitled to charge the inhabitants of said Township for gas 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 rates and rules regulating such service in said township, are hereby granted for the term of this franchise. 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 not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said Township.

Section 10. Repealer. This Ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of the Ordinance adopted on February 9, 1960, entitled: *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 on, along, across and under the highways, streets, alleys, bridges and other public places, and to do a local gas business in the Township of Hartford, Van Buren County, Michigan for a period of thirty years.*

Hartford Township, Van Buren County, Michigan
Ordinance Number 24
Consumers Power Company Gas Franchise Ordinance

Section 11. Effective Date. This ordinance shall take effect upon the day after the date of publication thereof, provided however, 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 by the Township Board of Hartford Township, Van Buren County, Michigan on March 8, 1990.
Accepted by Consumers Power Company on March 8, 1990.
Effective March 18, 1990.*

Hartford Township, Van Buren County, Michigan
Ordinance Number 25
Regulation of Garage, Yard and Rummage Sales

An ordinance to regulate and permit garage, yard and rummage sales in accordance with the township's authority to regulate the public health, safety and general welfare of persons and property in the Township of Hartford.

No person, association, partnership or corporation shall conduct what is commonly known as a garage, yard or rummage sale within Hartford Township without having first procured from the Zoning Administrator a permit for which a fee in the sum of \$3.00 shall be paid.

Section 1. Definition. Rummage sales shall include all garages, lawn, porch, attic, yard, barn or other similar casual sale of tangible personal property by a person which is advertised in any manner to the general public.

Section 2. Permits. Any person, association, partnership or corporation who shall conduct garage, yard, or rummage sale without having procured a permit from the Township shall be guilty of violating this Ordinance.

Section 3. Regulations. Any person, association, partnership or corporation conducting such sale may not conduct such sale for a period of more than four days, and under the following conditions.

- A. Garage, yard and rummage sales can be held in the Township of Thursday, Friday, Saturday and Sunday only;
- B. Persons desiring to hold a garage, yard, or rummage sale must apply for a permit by 5:00 p.m. on the Wednesday preceding the sale.
- C. Garage, yard or rummage sale permits must be displaying in a conspicuous place.
- D. Any attempt to commercialize or to bring rummage/merchandise in from outside source and offer it for sale shall be cause for immediate revocation of the permit.

Section 4. Number Allowed Per Year. No person, association, partnership or corporation shall be allowed more than three such permits within any twelve (12) month period. No more than three such permits shall be issued to any combination of persons for the same location in any twelve (12) month period. No more than three such permits shall be permitted to the persons residing in the same household in any twelve (12) month period whether for a single location or at multiple locations. No person, association, partnership or corporation shall participate in the sale of goods nor offer their goods for sale at any such sale unless the permit was granted to them or a member of their immediate household.

Section 5. Location Specification/Advertising Sign Restrictions. All such garage, yard or rummage sales shall be held in a manner that does not endanger life or property and shall be located at least thirty-five (35) feet from the travel portion of any roadway. All merchandise and signs intended to advertise such sales shall be no larger than 4'x4' and shall be removed within twenty-four (24) hours from the close of the sale.

Section 6. ~~Violations and Penalties.~~ ~~Any person or persons found guilty of having violated this Ordinance shall be subject to a fine of not more than Fifty (\$50.00) dollars, plus costs and in the event such a fine and costs are not paid, may be subjected to imprisonment in the County Jail for a period not to exceed five (5) days at the discretion of the judge. *Amended June 17, 2013 by Ordinance No 38a~~

Penalties and Enforcement

- A. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- B. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

Hartford Township, Van Buren County, Michigan
Ordinance Number 25
Regulation of Garage, Yard and Rummage Sales

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

- C. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 7. Unconstitutional Severance. Any section of this Ordinance determined unconstitutional shall be severed from the Ordinance and not invalidate other provisions.

Section 8. Effective Date. This Ordinance, replacing Ordinance No. 21 in its entirety, shall be effective August 11, 1996.

*Adopted by the Township Board of Hartford Township, Van Buren County, Michigan on July 11, 1996.
Effective August 11, 1996.*

Hartford Township, Van Buren County, Michigan
Ordinance Number 26
Hartford Township Mobile Structure Ordinance

An ordinance to promote the public health, welfare and safety by regulating the use of mobile homes and similar structures for non-residential use.

The Township of Hartford ordains:

Section 1. Title. This Ordinance shall be known as the Hartford Township Mobile Structure Ordinance.

Section 2. Purpose. The purpose of this ordinance is to promote the public health, welfare and safety in the use of buildings and structures within the Township by regulating the use of mobile homes and like structures for non-residential purposes.

Section 3. Definitions. As used in this ordinance, the following words shall have the meaning stated:

- A. Mobile Home: A structure originally designed and manufactured with wheel and axle assembly to permit travel on roadways and with a tongue or other towing device or fixture whether or not said wheels, axles and tongues are attached at the present.
- B. Residential Mobile Home. A mobile home above described which is subject to approval as a residential structure under the provision of the Township Building and Construction Ordinance.
- C. Temporary Home or Temporary Mobile Home. A mobile home which was permitted to be used as a residential structure for a limited period of time, a limited purpose, or until the occurrence of a specific condition by prior action of the Township.

Section 4. Temporary Storage. A person shall not store or permit to be stored on any premises which is owned or controlled by them a mobile home excepting a residential mobile home as above designed, and for which a valid permit was secured for the installation of same and which permit has been complied with and remains in effect. Any temporary home or temporary mobile home for which the use permit has expired or which remains on premises following the occurrence of a condition discontinuing its approval as a temporary residential structure shall be removed within ninety days of the date of the expiration of said time or the occurrence of such event.

In the event that a temporary home or temporary mobile home is required to be removed pursuant to the preceding paragraph, the owner of the premises may apply to the Township Planning Commission for an extension of the ninety-day removal period. Said extension shall be solely for the purposes of facilitating the sale of other removal of the temporary home or temporary mobile home. The structure shall not be used or occupied during said period.

A residential mobile home may be temporarily stored on a premise pending its installation provided that a valid permit has been secured for the installation of said mobile home in accordance with the Township Building and Construction ordinances.

This section shall not apply to RVs, travel trailers, and like temporary residential vehicles stored upon an owner's premises which are currently licensed for highway travel. It shall, however, apply to like temporary homes and temporary mobile homes which are not so licensed or which are stored upon a premise other than that of the owner thereof.

Section 5. Farm Labor Camps. The provisions of this ordinance shall not apply to approved farm labor camp housing.

Section 6. Nuisance. The storage of a mobile home on a premise contrary to the provisions of this ordinance is hereby declared to be a nuisance and an impediment to the public health, welfare and safety of the citizens of the Township. As such, the same shall be abated upon seven days' notice to the person in possession, control or ownership of the premises upon which it is situated. Failure of such person to abate the nuisance by removal of said mobile home shall be a violation of the terms of this ordinance.

Section 7. Penalty. ~~The owner or possessor or person in control of the premises where a mobile home is stored contrary to the provisions of this ordinance shall be deemed guilty of a misdemeanor, and may be subject to a fine~~

Hartford Township, Van Buren County, Michigan
Ordinance Number 26
Hartford Township Mobile Structure Ordinance

~~by the court not to exceed \$100, imprisonment in the County jail not to exceed 30 days, assess the costs of the Township in enforcing this Ordinance or any combination of the three is the discretion of the court. Further, if the Township should initiate an action to require abatement of said nuisance, the court may order said mobile home removed and disposed of by the Township and that the costs thereof be assessed to the owner or the possessor of the premises and that if the same shall not be paid within 35 days of the date of said assessment that those costs be imposed upon the subject premises as a lien in the nature of a special assessment and shall be included in the property taxes to be collected thereon.~~ *Amended June 17, 2013 by Ordinance 38a

- A. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this ordinance.
- B. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- C. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- D. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 8. Effective Date. This Ordinance shall take effect on the 11th day of August, 1996, following its publication as provided by law.

*Adopted by the Township of Hartford, Van Buren County, Michigan on July 11, 1996.
Effective August 11, 1996.*

Hartford Township, Van Buren County, Michigan
Ordinance Number 27
Hazardous Materials Incident Ordinance

An ordinance to establish charges for Hartford Fire Department Emergency Services responding to a Hazardous Materials Emergency Incident in accordance with Act 207 of the Public Acts of 1941, as amended under Act 102 of the Public Acts of 1990; and to provide methods for the collection of the charges therefore:

The Township of Hartford ordains:

Short Title: This ordinance may be referenced as the Hazardous Materials Incident Ordinance.

Section 1. Purpose. In order to protect the Township of Hartford from incurring extraordinary expenses resulting from the utilization of its fire department's resources to respond to an incident involving hazardous materials;

The Township of Hartford authorizes the imposition of charges to recover reasonable and actual costs incurred by it in responding to calls for assistance in connection with a hazardous materials release.

Section 2. Definitions. The following terms or phrases shall be defined to mean:

- a. **Hazardous substance or materials:** For the purpose of this Ordinance, hazardous substances and/or materials include but are not limited to, a chemical that is combustible liquid, a flammable gas, an explosive, a flammable and 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 U. S. Department of Transportation or by the laws of the State of Michigan.
- b. **Release:** A release shall be any spilling leaking, pumping, pouring, emitting, emptying, discharging, ejecting, leaching, dumping, or disposing of a substance or material into the environment.
- c. **Responsible Party:** A responsible party is any individual, firm, corporation, association, partnership, commercial entity, consortium, joint venture, government entity, or any other legal entity that is responsible for a release of a hazardous material, either actual or threatened, or as an owner, tenant, occupant, or party in control of the property onto which or from which hazardous material is released or the owner, possessor or party in control of the hazardous substance immediately prior to said release.
- d. **Fire Board:** Means the Joint Fire Administrative Board established by the Township of Hartford and the City of Hartford for the purpose of operating and administrating the Hartford Fire Department in accordance with Public Act 207 of the Public Acts of 1941, as amended.
- e. **Fire Department:** Means the Hartford Fire Department established by the Township of Hartford and City of Hartford under the Joint Fire Administrative Board and recognized as an organized fire department by the State of Michigan under the provisions of Public Act 207 of the public acts of 1941 as amended.
- f. **Fire Chief:** Means the chief operational and administrative officer of the Fire Department or in his absence the senior fire officer in charge at the scene of a hazardous materials incident.

Section 3. Charges Imposed upon Responsible Party. When the Fire Department responds to a call for assistance in connection with a hazardous materials release, 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 each Fire Department apparatus required, in the opinion of the officer in command, to respond and be present and/or to stand by at the scene of a hazardous materials incident. For each hour or fraction thereof that the apparatus is used or is required at the site by the officer in command, an additional hourly sum shall be charges.
- b. All personnel related costs incurred by the Fire Department as a result of responding to and mitigating a hazardous materials incident. Such costs may include but are not limited to wages, salaries and fringe benefits and insurance for full time and part-time firefighters; overtime pay and related fringe benefit costs for hourly employees and fire run fees paid to on-call firefighters. Such personnel related charges shall commence at the time the Fire Department is dispatched to the hazardous materials incident and shall continue until all personnel have concluded hazardous material incident related responsibilities.

Hartford Township, Van Buren County, Michigan
Ordinance Number 27
Hazardous Materials Incident Ordinance

- c. Other expenses incurred by the Fire Department in responding to and mitigating a hazardous materials 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, water purchased from municipal water systems, charges of emergency response teams of other governmental agencies, meals, refreshments for personnel working at the scene of a hazardous materials incident and all like and similar incidental costs arising from said response and mitigation.
- d. Any and all charges to the Fire Department imposed by any local, state or federal entities related to the hazardous materials incident.
- e. The cost of repair or replacement of any apparatus, equipment, protective clothing, or materials damaged, destroyed or consumed as a result of the response and mitigation activities.
- f. Costs incurred in accounting for all hazardous material incident related expenditures to include billing and collections costs to include 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 4. Costs Determination. The foregoing described costs shall be determined in accordance with a standardized policy established by the Fire Board. Where applicable, the costs shall be the actual expense to the Fire Department. With respect to apparatus use charges, the Fire Board shall, by resolution, establish a use charge for each separate piece of apparatus. Said use charges shall from time to time be established by further resolution of the Fire Board. In the event of a hazardous materials release, the most current prevailing apparatus charge schedule shall be applied.

Section 5. Billing Procedure. Following the conclusion of a hazardous materials incident, the Fire Chief shall submit a detailed listing of all known expenses to the Fire Board Treasurer; the Fire Board Treasurer shall prepare an invoice to the responsible party for payment. The Treasurer's invoice shall demand full payment within thirty (30) days of receipt. Any additional expenses which become known to the Fire Chief 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 amounts due that remain unpaid thirty (30) days after the date of billing, there shall be imposed a late charge thereon at the maximum rate permitted by law until said account shall be paid in full.

Section 6. Other Remedies. In addition to the foregoing, the Fire Board and/or the Township of Hartford and/or City of Hartford may pursue any other remedy or may institute an appropriate action or proceeding in a court of competent jurisdiction to collect the charges imposed under this ordinance. The recovery charges imposed under this Ordinance does not limit the liability of the responsible party or parties under any other local ordinance, or state or federal law, rule or regulation which may include, but not be limited to, the cleanup of contaminated sites resulting from any hazardous materials release.

Section 7. Severability. Should any provision or part of this Ordinance be declared by any court or 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 8. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption and publication in accordance with statute.

*Adopted by the Township Board of Hartford Township, Van Buren County, Michigan, September 11, 1997.
Effective date October 11, 1997.*

Hartford Township, Van Buren County, Michigan
Ordinance Number 28
Hartford Township Property Maintenance Code

An ordinance of the Township of Hartford, Van Buren County, Michigan, adopting the 2003 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Township of Hartford; providing for the issuance of permits and collection of fees thereafter; repealing Ordinance No. 19 of the Township of Hartford, and all other ordinances and parts of the ordinance in conflict therewith.

The Township Board of the Township of Hartford does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the Township Clerk of the Township of Hartford, being marked and designated as the *International Property Maintenance Code*, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of Hartford in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplies utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Township of Hartford are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1 Insert: Township of Hartford

Section 103.5 Insert: No fees shall be charged for such inspections unless said fee arises under the building code.

***Amended June 17, 2013 with Ordinance 38a to include:**

Section 106.3 Violations and Penalties.

- a. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed to be responsible for a municipal civil infraction.
- b. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.
- c. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- d. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- e. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00

Hartford Township, Van Buren County, Michigan
Ordinance Number 28
Hartford Township Property Maintenance Code

4th or More offense within 3-year period* \$500.00 \$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Section 111.2 Membership of the Board. Replace Section with the following:

The Zoning Board of Appeals shall be the Township Board of Appeals then appointed by the Township Board. The Code official shall be an ex officio member, but shall have no vote in any matter before the Board.

Section 302.8 Replace Section with the following:

302.8 Motor Vehicles. No more than one (1) inoperable motor vehicle shall be parked, kept or stored on any residential premises, nor more than two (2) on any non-residential premises, within the Township except stored within a wholly enclosed structure. No vehicle shall, at any time, be in a state of major disassembly, disrepair, or in the process of being striped and/or dismantled. EXCEPTION: A vehicle of any type is permitted to undergo major overhaul including bodywork, provided that such work is performed inside a structure, or in a similarly enclosed area designed and approved for such purposes. Where no garage or like structure is available to conduct repair work on a single vehicle, that one vehicle may be repaired including disassembly and reassembly provided that it is completely covered at all times except when all work is being performed. This, however, shall not permit the extended storage of a disassembled or dismantled vehicle except during the time when repairs and restoration are being conducted.

Section 304.14 Insert: May 15 in the first date blank and September 30 in the second date blank.

Section 602.3 Insert: October 15 in the first date blank and April 30 in the second date blank.

Section 602.4 Insert: October 15 in the first date blank and April 30 in the second date blank.

Section 3. That Ordinance No. 19 of the Township of Hartford entitled Existing Structures Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Township of Hartford hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or cases of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affect by this ordinance.

Section 6. That the Township Clerk is hereby ordered and directed to cause this ordinance to be published, and a copy thereof be filed with the County Clerk.

Hartford Township, Van Buren County, Michigan
Ordinance Number 28
Hartford Township Property Maintenance Code

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days after its adoption and publication in accordance with statute.

*Adopted by the Township Board of the Township of Hartford, Michigan on this 9th day of June, 2005.
Effective July 16, 2005*

Hartford Township, Van Buren County, Michigan
Ordinance Number 29
Hartford Township ZEA Amendment Ordinance

An Ordinance to amend Hartford Township Zoning Ordinance to conform to the Michigan Zoning Enabling Act, being MCL 125.3101 et seq., hereinafter referred to as “ZEA”

The Township of Hartford ordains:

Section 1. Title. This Ordinance shall be known as the Hartford Township ZEA Amendment Ordinance.

Section 2. Purposes. The purpose of this Ordinance is to promote the public health, safety and welfare by conforming existing Township Zoning Ordinance and its amendments to the recently enacted ZEA and to continue and preserve the Township’s granting of variances, including use variances, as has been the practice of the Township prior to the ZEA.

Section 3. Notices. All notices with respect to the conduct of the proceedings by the township regarding zoning and the applications of it’s zoning ordinances, including all prior and future amendments thereto, shall be given in accordance with the ZEA and any future amendments thereto.

Any prior contradictory provisions regarding notice shall be of no effect from and after the effective date of this Ordinance.

Section 4. Amendments. All amendments to Township Zoning Ordinance shall be effected in accordance with the procedures provided in Section 202 of the ZEA and future amendments thereto. The Township Board reserves to itself final approval of all proposed amendments to the Zoning Ordinance. The Board further reserves final approval of any proposed zoning ordinance text amendment or rezoning and the right to modify the recommended changes without referral of the matter back to the Planning Commission for further report. However, if the Township Board deems such referral appropriate it may request that the Planning Commission consider or reconsider its recommendation based upon the Township Board’s input.

Section 5. Variances. The Zoning Board of Appeals is vested with the authority to grant variances, both non-use (dimensional) and use (application), upon a proper showing of the need therefore,

- A. Application for a variance shall be made in writing on such form as is prescribed by the Township. Said application shall describe the premises for which the variance is sought by legal description or by reference to the property tax identification number. It shall identify the applicant and the property owner if other than the applicant. The application shall set forth with specificity the nature of the variance sought and in the case of a use variance, shall describe the proposed use of the premises in detail.

An application for a non-use (dimensional variance) shall detail the practical difficulties existing on the subject property which justify granting of a variance from the dimensional requirements imposed by the Township ordinances. The application shall also state what conditions prevent the applicant from complying with the dimensional requirements of the Zoning Ordinance.

An application for a use variance shall set forth what unnecessary hardship would be incurred by the applicant were the use variance denied.

- B. The Township Zoning Administrator shall review the application upon receipt and prepare a report and recommendation for the Zoning Board of Appeals regarding the application. The Township Zoning Administrator shall submit the variance application and his recommendation to the Zoning Board for consideration at the next scheduled meeting.
- C. The Zoning Board of Appeals shall conduct a public hearing prior to the granting of any variance. Notice of said hearing shall be given in accordance with ZEA. At said hearing, the Zoning Board of Appeals may grant such variance if it determines that the applicant would incur practical difficulties in the case of a non-use variance or an unnecessary hardship in the case of a use variance. In making said determination, the Zoning Board of Appeals shall consider whether the granting of such a variance would:

Hartford Township, Van Buren County, Michigan
Ordinance Number 29
Hartford Township ZEA Amendment Ordinance

1. Conform to the spirit of the zoning ordinance as applied;
2. Secure the public safety;
3. Shall be no more objectionable to nearby property than would a permitted conforming use;
4. Would not discourage the appropriate development and use of adjacent lands in conformance with the zoning ordinance;
5. Would promote the development of the Township in accordance with the zoning ordinance and master plan.

No variance shall be granted, except:

1. In the case of a non-use variance by the affirmative vote of a majority of the members of the Zoning Board of Appeals, and
 2. In the case of a use variance by the affirmative vote of not less than two-thirds of the members of the Zoning Board of Appeals.
- D. In granting a variance the Zoning Board of Appeals may impose conditions or limitations that shall be and become part of the variance granted. Failure of the applicant or subsequent owner of the premises to abide by such restrictions or limitations shall terminate the variance.
- E. In the event that a variance is granted, the same shall be solely for the benefit of the subject premises. Subsequent change in ownership shall not terminate or affect the variance or any conditions or limitations. All Variances shall run with the land.

Section 6. Former Article VII. Article VII: Amendments of Ordinance Number 2, The Hartford Township Zoning Ordinance, is deleted in its entirety.

Section 7. Former Article VIII. Subparagraph 2 of Article VIII, Penalties, is amended to read at the beginning of said subsection: "The Township Board, the Zoning Board of Appeals, the Prosecuting Attorney of the County, . . ."

Section 8. Effective Date. This ordinance shall take effect sixty days following its publication in a newspaper of general circulation in the Township.

*Adopted by the Township Board of the Township of Hartford, Michigan on May 10, 2007.
Effective July 23, 2007*

Hartford Township, Van Buren County, Michigan
Ordinance Number 32
Hartford Township Amplified Noise Ordinance

An ordinance to secure the public health, safety and general welfare of the residents and property owners of the Township of Hartford, Van Buren County, Michigan, by the regulation of amplified noise within the township; to provide penalties for the violation of said regulations; to provide for the severability of the ordinance provisions; to provide an effective date of said ordinance; and to repeal all parts of Township ordinance in conflict herewith.

Section 1. Title. This Ordinance shall be known and cited as the “Hartford Township Amplified Noise Ordinance”.

Section 2. Definitions.

The following words as used in the within ordinance shall have the following definitions:

Agricultural; Agricultural Purpose is defined as of or pertaining to or connected with, or engaged in agriculture or tillage characterized by the act or business of cultivating or using land and soil for the production of crops, for the use of animals or humans and includes, but is not limited to purposes related to agriculture, farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry.

Commercial refers to land or operations primarily being lawfully utilized for business or governmental purposes.

Industrial refers to land or operations primarily being lawfully used for manufacturing, warehousing or similar type uses.

Residential refers to land or uses primarily being utilized for one, two or multi-family dwelling purposes.

Noise Control Officer refers to any state, county or township ordinance-enforcing officer who is legally authorized to enforce ordinances of Hartford Township.

Sound-Amplifying Equipment refers to any machine or device for the amplification of human voice, music or any other sound. Sound-amplifying equipment shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the radio is installed. Sound-amplifying equipment, as used in this ordinance, shall not include warning devices of authorized emergency vehicles.

Plainly Audible means any sound that can be clearly heard or felt by unimpaired normal auditory or sensory senses regardless of whether the words or phrases are discernable.

Section 3. Noise Regulations.

A. General Regulations

No person, firm or corporation shall cause or maintain any unreasonably loud amplified noise in such manner as to disturb the peace, quiet, comfort or repose of occupants of the area.

B. More Detailed Violations

It shall be unlawful for any person to make, assist in making, permit, continue, cause to be made or continued, or to permit the continuance of any sound using any sound-amplifying equipment or sound amplification that is part of or connected to any speaker system, radio, stereo receiver, compact disc player, microphone, or any other electronic or other sound source which, when operated:

- (a) Disturbs the peace, quiet, comfort or repose of neighboring inhabitants; or
- (b) Which at any time involves a louder volume of noise than is necessary for the convenient hearing of persons who are on the property or premises or vehicle upon or within which the sound is generated and who are the intended voluntary listeners of such sound. Any such sound amplification in a manner causing such sound to be plainly audible beyond the property or premises upon which it is produced, or, in the case of a vehicle, plainly audible beyond a distance of 50 feet from the vehicle, or for a parked vehicle on private property beyond the boundary line of such property shall constitute an amplified sound violation of the within ordinance.

Section 4. Exemptions.

The amplified sound prohibitions contained in this ordinance shall not be applicable to warning devices of authorized emergency or public safety vehicles, or vehicles owned and operated by any governmental agency or public utility

Hartford Township, Van Buren County, Michigan
Ordinance Number 32
Hartford Township Amplified Noise Ordinance

company involving necessary emergency operations or while engaged in authorized governmental or public safety activity.

Agricultural, commercial and industrial operations and churches, fairs and publically authorized festivals are exempt from the within ordinance amplified sound restrictions during their necessary, normal hours of operation.

Section 5. Waivers.

Upon written request to the Township Zoning Administrator for a temporary, short-period waiver of the within amplified noise prohibitions disclosing special short-period activities such as weddings or single-event celebrations, wherein the applicant has concern that the proposed amplified noise there from may violate the provision and limitation of the within ordinance, and where any violation would be of short hourly duration and, in the Zoning Administrator's discretion would not be unreasonable annoying or disturbing to neighbors, the Zoning Administrator may grant a temporary waiver from the within ordinance prohibitions.

Section 6. Severability.

The provisions of this ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only effect the particular provision, part of section thereof and shall not effect or invalidate the remainder of the within ordinance provisions which shall continue in full force and effect.

Section 7. Penalties.

A. Any person, firm, association, partnership, corporation or entity that violates any of the provisions of this ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute which shall be punishable by a civil fine determined in accordance with the following schedule.

- a. 1st Offense \$100.00
- b. 2nd Offense \$300.00
- c. 3rd of more offense (each) \$500.00

Additionally, the violator shall pay costs, which may include all expenses, direct and indirect, which the Township of Hartford has incurred in connection with the municipal civil infraction. In no case, however, shall costs be less than \$9.00. Each day that a violation continues shall constitute a separate civil infraction.

B. Failure to appear as required in the notice of municipal civil infraction or to pay the designated civil fine and township costs shall constitute a misdemeanor subjecting the violator to a fine of up to \$500 and/or imprisonment for up to 90 days in jail.

Section 8. Guides to Enforcement.

- A. The primary means of enforcement of the within ordinance shall be through ordinary auditory hearing senses unenhanced by any mechanical or artificial hearing device.
- B. The employment of sound-amplifying equipment, as defined in the within ordinance, shall constitute a presumption of violation when accompanied by complaints from an occupant or occupants of adjoining premises.

Section 9. Effective Date.

This ordinance shall take effect 30 days after its publication following its adoption. All parts of ordinance in conflict herewith are hereby repealed.

*Adopted by the Township of Hartford, Van Buren County, Michigan on February 12, 2009.
Effective March 29, 2009*

Hartford Township, Van Buren County, Michigan
Ordinance Number 33
Ordinance Enforcement Officer

An ordinance to establish the office of Ordinance Enforcement Officer; to prescribe the duties of said office; to authorize the Township Board to appoint any person or persons to said office, and to amend any ordinances of Hartford Township which conflict with the provisions hereof.

THE TOWNSHIP OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1. Ordinance Enforcement Officer. There is hereby established the office of Ordinance Enforcement Officer within the Township of Hartford, Van Buren County, Michigan.

Section 2. Appointment.

The Hartford Township Board is hereby authorized, by resolution, at any regular meeting of said Board, to appoint any person or persons to the office of Ordinance Enforcement Officer for such term or terms as may be designated in said resolution. Said Board may further, by resolution, remove any person from said office, in the discretion of said Board.

Section 3. Duties.

The Ordinance Enforcement Officer is hereby authorized to enforce all ordinances of Hartford Township, whether currently or hereafter enacted, and whether such ordinances specifically designate a different official to enforce the same or do not designate any particular enforcing officer. Where a particular officer is so designated in any such ordinance, the authority of the Ordinance Enforcement Officer to enforce the same shall be in addition and supplementary to the authority granted to such other specific officer. The authority of such Ordinance Enforcement Officer shall also be in addition and supplementary to the authority vested in the Township Supervisor by state statute. The ordinance enforcing authority of the Township Supervisor and other officers specifically designated in any Township ordinance shall continue in full force and effect and shall in no way be diminished or impaired by the terms of this Ordinance.

Section 4. Definitions.

The ordinance enforcement duties herein authorized shall include, among others, the following:

Investigating ordinance violations;

Serving notice of violations;

Serving appearance tickets as authorized by Public Act 147 of 1968, as amended (MCL 764.9a et seq);

Appearing in court or other judicial proceedings to assist in the prosecution of ordinance violators; and

Such other ordinance enforcement duties as may be delegated by the Township Supervisor or assigned by the Township attorney.

Section 5. Saving Clause.

The provisions of this Ordinance are hereby declared to be severable and the invalidation of any one or more of the same by any judicial determination or statutory or constitutional provision shall not invalidate the remainder of said provisions or Ordinance.

Section 6. Effective Date.

This Ordinance shall take effect the day following publication or any specified date after publication.

*Adopted by the Township of Hartford, Van Buren County, Michigan on October 8, 2009
Effective October 16, 2009*

Hartford Township, Van Buren County, Michigan
Ordinance Number 34
Adoption of Michigan Housing Law

An ordinance to promote the health, safety and welfare of the people of Hartford Township by adoption of the Michigan Housing Law (Act 167 of the Public Acts of 1917, as amended); to provide for the demolition of dangerous and unsafe buildings and to provide for the maintenance and improvement of buildings and the enforcement of the Act, and to repeal all existing Township ordinances in conflict herewith.

THE TOWNSHIP OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1. Adoption of Michigan Housing Law. In accordance with and pursuant to Public Act 1945, No. 246 (MCL 41.181 *et seq*) Hartford Township hereby adopts the Michigan Housing Law provided at Act 167 of the Public Acts of 1917, as amended (MCL 125.401 through 125.543).

Section 2. Enforcement. The designated Zoning Administrator, Code Enforcement Officer and Building Official are hereby designated as the enforcing agents to discharge the responsibilities of the Township of Hartford under Act 167 of the Michigan Public Acts of 1917, as amended.

Section 3. Establishment of Fee Schedule. The Township of Hartford shall have authority to establish, by resolution, at any regular or special meeting, a schedule of fees, rates and charges for the administration and enforcement of this Ordinance, and the Michigan Housing Law promulgated thereunder and adopted herein; provided further that any violation of this Ordinance or the adopted Housing Law shall require those deemed responsible for violation to pay all attorney fees and court costs that may be incurred in the enforcement of said Housing Law. It is further provided that the fees shall be reasonable and bear a reasonable relationship to the cost and expense of such administration, enforcement and activity. The Township of Hartford shall further have the right to amend by resolution the aforementioned schedules from time to time.

Section 4. Violations and Penalties. ~~Any person, firm or corporation who violates or fails to comply with the provisions of this Ordinance or the Act shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed \$100.00, and costs of prosecution, or by imprisonment in the County jail for a term not exceeding ninety (90) days, or both such fine and imprisonment, in the discretion of the court. Each day that a violation of this Ordinance exists shall constitute a separate offense. In addition, the Township of Hartford shall have authority to proceed in any court of competent jurisdiction for the purpose of obtaining injunctive relief or other appropriate remedy to compel compliance with this Ordinance.~~ *Amended June 17, 2013 with Ordinance 38a to read

- A. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- B. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1 st Offense within 3-year period*	\$ 75.00	\$500.00
2 nd Offense within 3-year period*	\$150.00	\$500.00
3 rd Offense within 3-year period*	\$300.00	\$500.00
4 th or More offense within 3-year period*	\$500.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

Hartford Township, Van Buren County, Michigan
Ordinance Number 34
Adoption of Michigan Housing Law

Section 5. Repeal of Conflicting Ordinances. All other Ordinances or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and each Section of this Ordinance, and each subdivision of any Section thereof, is hereby declared to be independent, and in finding or holding of any Section or subdivision thereof to be invalid or void, shall not be deemed or held to affect the validity of any other Section or subdivision of this Ordinance.

Section 6. Effective Date. This Ordinance and its provisions established and adopted hereby shall take effect and be in full force and effect 30 days after its adoption and publication in accordance with the State statute.

*Adopted by the Township of Hartford, Van Buren County, Michigan on January 14, 2010
Effective February 21, 2010*

Hartford Township, Van Buren County, Michigan
Ordinance Number 35
Peddlers and Miscellaneous Occupations Ordinance

An ordinance to license and regulate hawkers, vendors, peddlers, and solicitors in Hartford Township, Van Buren County, Michigan; to prescribe penalties for violations hereof, to provide for the enforcement hereof, to provide for the repeal of all ordinances or parts of ordinances in conflict herewith; the same being enacted in accordance with the provisions of Act 246 of the Public Acts of 1975, as amended (MCL 41.181); and to regulate the public health, safety and general welfare of persons and property in Hartford Township, Michigan.

THE TOWNSHIP OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Title. This ordinance shall be known and may be cited as the “Peddlers and Miscellaneous Occupations Ordinance.”

Section 2. Definitions. *Person* means an individual, partnership, firm, corporation, company or association.

Temporary Structure means anything constructed or erected requiring location on the ground which is not permanently affixed or attached to a foundation or not designed to be permanently located in the place where it is located (e.g. temporary sheds, containers, semi-trailers, tents or other enclosures for persons or goods which are movable).

Section 3. Necessity for license to hawk, vend, peddle or solicit. No person shall peddle or hawk any goods, wares, merchandise, services or other articles of things of value within the Township of Hartford, or sell or offer to sell the same on any public street, sidewalk, alley or other public place, or from house to house, or place to place, without first obtaining license from the Township, nor shall any person go from House to house soliciting or taking orders for goods, wares, merchandise, services or other articles or things of value to be delivered at some subsequent date or dates, without first obtaining a license from the Township.

Section 4. Necessity for license to sell from temporary structures. (a) No person shall peddle or hawk or sell any goods, wares, merchandise, services or other articles or things of value within the Township of Hartford, or sell or offer to sell the same from any temporary structure or other public place, without first obtaining a license from the Township, nor shall any person solicit or take orders for goods, wares, merchandise, services or other articles or things of value from a temporary structure to be delivered at some subsequent date or dates, without first obtaining a license from the Township.

(b) A license shall only be granted for a commercial district.

5. Applications for license; expiration of license; revocation of suspension of license; appeal. Each application for a license shall be made to the Township Clerk at least 24 hours in advance of the time for which the applicant seeks it issuance, and shall contain such information as shall be necessary to fully inform the Clerk with respect thereto.

No license shall be issued for more than one year or less than one day. All licenses shall expire on September 15th of each year. The Township Clerk shall have authority to revoke or suspend any license issued as a result of any misrepresentation or false statement made by the applicant in order to obtain such license, or for the licensee’s violation of or failure to comply with any Township ordinance or state law.

Any person aggrieved by a denial, suspension or revocation of a license required hereunder may appeal to the Township Board within three days thereafter, and the Township Board shall have final authority to issue, suspend or revoke or waive any license, license requirements or fees required hereunder. Appeals shall not stay the action of the Clerk in suspending or revoking any license and the same shall remain suspended or revoked during the appeal period.

Section 6. Display of license. The holder of any license issued hereunder shall carry the same with him/her at all times and shall exhibit it to any citizen upon demand.

Section 7. Health certificate required. No license shall be granted to any person for the peddling or hawking of food, food products or edibles of any character unless the applicant shall first secure a certificate from the Van Buren County Health Department setting forth that he/she is not suffering from any contagious or infectious disease. A person selling his own homegrown agricultural products at his place of residence shall be exempt from the licensing provisions of this

Hartford Township, Van Buren County, Michigan
Ordinance Number 35
Peddlers and Miscellaneous Occupations Ordinance

ordinance, provided that no person shall sell his products from a motor vehicle parked on or along a public highway without first obtaining a license.

Section 8. Exemption. No religious, charitable fraternal, school or other organization of a charitable nature or its agents, representative or employees, shall be required to obtain a license and are exempt from the licensing provision of this Ordinance.

Section 9. Orders for future deliver; necessity for bond. No person soliciting or taking orders for goods, wares, merchandise, services or other articles or things of value to be delivered at some future date or dates shall ask or receive any deposit or any payment or part payment of money or other valuable thing in advance of such delivery unless such person shall have first deposited with the Township Clerk a cash bond in the amount of \$1,000.00, or a surety bond in like amount with good and sufficient sureties to be approved by the Clerk, conditioned to indemnity and save harmless any person dealing with any such solicitor against any damage or loss which he/she may suffer by reason of the failure of any such goods, wares, merchandise or services to be delivered, or by reason of any false or fraudulent representation which such solicitor may have made with respect to the same. No license shall be issued to any such solicitor until the bond required hereby shall have been deposited with and approved by the Township Clerk.

Section 10. Effect of license from state. The fact that any person has been granted a license by the State of Michigan or other public authority shall not exempt such person from securing a license from the Township of Hartford if such license is required by the terms of this Ordinance.

Section 11. Transferability of license. Licenses issued hereunder shall be nontransferable.

Section 12. Necessity of invitation; termination of permission. No peddler, hawker or solicitor shall enter any private home or place unless invited to do so by the owner or occupant thereof, nor shall any peddler, hawker or solicitor remain upon any private premises after being ordered or requested to leave by the owner or occupant thereof.

Section 13. Application. The fees to be paid for a license under this Ordinance shall be \$50.00 or as determined by resolution of the Township Board from time to time.

Section 14. Issuance. Upon receiving a written application for a license under this Ordinance and payment of the proper fee, the Township Clerk shall cause a review to be made by the Township Board. Upon satisfactory approval, the Clerk may issue the applicant the license subject to the following conditions:

- Hours of Operation - 9:00 a.m. to 7:00 p.m.
- Days of Operation - Saturdays, Sundays and holidays only
- Dates of Operation - May 1 through September 15

Section 15. Violations and penalties. Any person who shall violate any provisions of this Ordinance shall be responsible for a civil infraction, punishable by fine of not more than \$100.00, plus costs and any other sanction permitted by law, for each infraction.

Section 16. Construction; severability. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be constitutional or invalid.

Section 17. Repeal. All ordinances or parts of ordinances in conflict herewith or inconsistent with any provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 18. Effective date. This Ordinance shall take effect 30 days after the first publication of the Ordinance.

*Adopted by the Township of Hartford, Van Buren County, Michigan on March 11, 2010
Effective May 1, 2010*

Hartford Township, Van Buren County, Michigan
Ordinance Number 36
Land Division Ordinance

This ordinance is adopted to regulate partitioning or division of parcels or tracts of land enacted pursuant but not limited to Michigan Public Act 1967 PA 288, being the Land Division Act, ZMCL 560.101 et seq, as amended, Act 591 of 1996, as amended, and Act 246 of 1945, MCL 41.181, Township Ordinances, as amended; 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.

THE TOWNSHIP OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1. Title. This ordinance shall be known and cited as the Hartford Township Land Division Ordinance.

Section 2. Purpose.

The purpose of this ordinance is to carry out the provisions of the State Land Division Act (1967 PA 288, MCL 560.101, et seq, 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 Hartford Township (the "Township") by establishing reasonable standards for prior review and approval of land divisions within the Township.

Section 3. Definitions.

For purposes of this ordinance, certain terms and words used herein shall have the meaning set forth herein. Additionally, where terms and words are set forth in the State Land Division Act, those terms and words shall have the definitions ascribed to them in the State Land Division Act, except as set forth within this section.

- 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 purpose 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. "Divide" or "Division" does not include a property transfer between two or more adjacent parcels if the property taken from one parcel is added to an adjacent parcel; and any resulting parcels shall not be considered a building site unless the parcel conforms to the requirements of the State Land Division Act, this ordinance, and other applicable ordinances.
- 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 of more parcels of less than 40 acres or the equivalent; and 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 government lot containing not less than 30 acres.
- e. "Governing body" – The Hartford Township Board.

Section 4. Prior Approval Requirement for Land Divisions.

Land in the Township shall not be divided without the prior review and approval of the Township Assessor, or other official designated by the Township Board, in accordance with this ordinance and the State Land Division Act; provided that the following shall be exempted from this requirement:

- a. A Parcel proposed for subdivision through a recorded plat pursuant to the State Land Division Act.

Hartford Township, Van Buren County, Michigan
Ordinance Number 36
Land Division Ordinance

- b. A lot in a recorded plat proposed to be divided in accordance with the State Land Division Act.
- c. An exempt split as defined in this ordinance, or other partitioning or splitting that only results in parcels of 20 acres or more where each parcel is not accessible (as defined in the State Land Division Act) and either the parcel was in existence on March 31, 1997, or resulted from exempt splitting under the State Land Division Act.

5. Application for Land Division Approval.

An applicant shall file all of the following with the Township Assessor for review and approval of a proposed land division either by deed, land contract, lease for more than one year, or for building development:

- a. A completed application form on such form as is attached to, and made a part of this ordinance.
- b. Proof of fee ownership of the land proposed to be divided or written consent to the application signed by the fee owner of the land.
- c. A tentative parcel map showing the parent parcel or parent tract which is the subject of the application, and the area, parcel lines, public utility easements, and the manner of proposed access for each resulting parcel. A tentative parcel map shall include:
 - 1. Proposed boundary lines and the dimension of each parcel;
 - 2. Accurate legal description of each resulting parcel;
 - 3. The location, dimensions and nature of proposed ingress to and egress from any existing public or private road.
 - 4. The location of any public or private street, driveway or utility easement to be located within any resulting parcel.
- d. Proof that all standards of the State Land Division Act and this ordinance have been met.
- e. If requested by the Assessor, the history and specification of any previous divisions of land of which the proposed division was a part sufficient to establish the parcel to be divided complies with Section 108 of the State Land Division Act.
- f. If transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer.
- g. The fee may from time to time be established by resolution of the Township Board for land division reviews pursuant to this ordinance to cover the costs or review of the application and administration of this ordinance and the State Land Division Act.

Section 6. Procedure for Review of Applications for Land Division Approval.

- a. Upon receipt of a land division application package, the Assessor shall approve, approve with reasonable conditions or disapprove the land division applied for within 45 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 the requirements of this ordinance and the State Land Division Act, the Assessor shall return the same to the applicant for completion and re-filing in accordance with this ordinance and the State Land Division Act.
- b. Any person or entity aggrieved by the decision of the Assessor may, within 30 days of said decision appeal the decision of the Township Board which shall consider and resolve such appeal by a majority vote of said Board at its next regular meeting or session affording sufficient time for a 10-day written

Hartford Township, Van Buren County, Michigan
Ordinance Number 36
Land Division Ordinance

notice to the applicant of the time and date of said meeting. The Township Board may affirm, modify or reverse the decision of the Assessor and its decision shall be final.

- c. A land division approval is effective for 90 days from its issuance, after which it shall be revoked unless within such period there is recorded with the County Register of Deeds office and filed with the Assessor a conveyance of the approved land division or survey evidencing the same.
- d. The Assessor shall maintain an official record of all approved and accomplished land division or transfers.

Section 7. Standards for Approval of Land Division.

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

- a. The proposed land division, including resulting parcels, comply with all requirements of the State Land Division Act and this ordinance.
- b. The ratio of depth to width of any parcel created by the division does not exceed a four to one ration. In the event that the Township Zoning Ordinance shall specify a depth to width ratio which differs from that set forth within this sub-section, the ratio contained in the Township Zoning Ordinance shall control.
- c. Each parcel created by the proposed division(s) shall have the minimum width as established by the Township's Zoning Ordinance for the zoning district in which the resulting parcel(s) is (are) located.
- d. Each parcel created by the proposed division(s) shall have the minimum area as established by the Township's Zoning Ordinance for the zoning district in which the resulting parcel(s) is (are) located.

Section 8. Limited Effect of Land Division Approval.

Approval of a land division is not a determination that the created or resulting parcels comply with other laws, ordinances of the Township or applicable regulations. The Township and its officers and employees shall not be liable for approving a land division if building permits for construction on the parcels are subsequently denied because of inadequate water supply, sewage disposal facilities or otherwise, and any notice of approval shall include a statement to that effect.

Section 9. Consequences of Noncompliance with Land Division Approval Requirement.

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 10 of this ordinance, and as may otherwise be provided by law.

Section 10. Penalties and Enforcement.

Any person who violated any of the provision of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500 or by imprisonment in the county jail for not to exceed ninety (90) days or both such fine and imprisonment.

Any person who violates any of the provisions of this ordinance shall also be subject to civil action, legal or equitable proceedings arising from the violation.

Section 11. 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 12. Repeal.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, including Ordinance No. 9 adopted December 12, 1973, except that this ordinance shall not be construed to repeal any provision in the Township Zoning Ordinance, or the Township Building Code.

Hartford Township, Van Buren County, Michigan
Ordinance Number 36
Land Division Ordinance

Section 13. Effective Date. This ordinance shall take effect thirty (30) days following its publication after adoption.

A motion that said Land Division Ordinance be enacted was made by McLellan and supported by Dowd at a regular meeting of the Hartford Township Board on the 13th day of January, 2011.

Yes: Sefcik, Dowd, McLellan

No: n/a

Adopted by the Township Board of the Township of Hartford, Michigan on this 13th day of January, 2011.

Certification

I hereby certify that the foregoing is a true and complete copy of the Land Division Ordinance adopted by the Hartford Township Board at a meeting held on the 13th day of January, 2011, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meeting Act, Act No. 167 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: January 18, 2011

Julie L. Sweet, Township Clerk

PUBLICATION

I hereby certify that a summary of the foregoing Ordinance was published in the Herald Palladium, Benton Harbor, Michigan, on the 20th day of January, 2011.

Julie L. Sweet, Township Clerk

Effective Date: February 19, 2011

Hartford Township, Van Buren County, Michigan
Ordinance Number 37
Hartford Township Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority

An ordinance to confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Hartford 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 the ordinance.

THE TOWNSHIP OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY 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 Hartford 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 Hartford 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 Hartford Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321 et seq. The Hartford Township Planning Commission shall have seven (7) members. Members of the Hartford 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 three (3) years.

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 (i.e. U.S. citizen, 18-years old, who has been a resident of the state for six months and a resident of the Township for at least thirty days), except that one Planning Commission member may be an individual who is not 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.

Hartford Township, Van Buren County, Michigan
Ordinance Number 37
Hartford Township Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority

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, including an adopted child, 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 purposes of this section, a “neighboring property” shall include any property falling within the notification radius for the application or proposed development, as required by the zoning ordinance or other applicable ordinance.
- 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 as provided by Township Board resolution. The Planning Commission may adopt bylaws relative to the compensation and expenses of its members for travel when engaged in the performance of activities authorized by the Township Board, including, but not limited to, attendance at conferences, workshops, educational and training programs and meetings

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 one (1) year, with opportunity for re-election 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 hold at least four (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 two 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., except that the notice of a special meeting to Planning Commission members shall be at least 48 hours before the meeting.

Hartford Township, Van Buren County, Michigan
Ordinance Number 37
Hartford Township Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority

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 re-adopted under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.38001, 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 Hartford 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 under the master plan, the Township Board, after the master plan is adopted, may prepare or cause to be prepared a capital improvements program of public structures and improvements, showing those structures and improvement ins 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, 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 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 m ail 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.

Hartford Township, Van Buren County, Michigan
Ordinance Number 37
Hartford Township Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority

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 Hartford 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

A motion that said Ordinance to Confirm the Establishment of a Planning Commission with Zoning Authority be enacted was made by Dowd and supported by Wilmoth at a regular meeting of the Hartford Township Board on the 9th day of June, 2011.

The names of the Township Board members and their votes are as follows:

NAME	YES	NO
Ron Sefcik	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Julie Sweet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vanessa Wilmoth	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kurt Dowd	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John McLellan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Certification

I hereby certify that the foregoing is a true and complete copy of the Ordinance to Confirm and Establishment of a Planning Commission with Zoning Authority adopted by the Hartford Township Board at a meeting held on the 9th day of June, 2011, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meeting Act, Act No. 267 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: June 9, 2011

Julie L. Sweet, Township Clerk

Certification

I, Julie L. Sweet, Clerk of the Township of Hartford, Van Buren County, Michigan, do further certify that the foregoing and aforesaid Ordinance was duly published in the **Herald Palladium** circulating in said Township of Hartford, Michigan on the **23rd day of June 2011.**

Effective date: June 23, 2011

Hartford Township, Van Buren County, Michigan
Ordinance Number 37
Hartford Township Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority

An ordinance to confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, et seq., of the Hartford 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 the ordinance.

THE TOWNSHIP OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY 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 Hartford 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 Hartford 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 Hartford Township Planning Commission formerly established under the Township Planning Act, Public Act 168 of 1959, MCL 125.321 et seq. The Hartford Township Planning Commission shall have seven (7) members. Members of the Hartford 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 three (3) years.

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 (i.e. U.S. citizen, 18-years old, who has been a resident of the state for six months and a resident of the Township for at least thirty days), except that one Planning Commission member may be an individual who is not 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.

Hartford Township, Van Buren County, Michigan
Ordinance Number 37
Hartford Township Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority

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, including an adopted child, 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 purposes of this section, a “neighboring property” shall include any property falling within the notification radius for the application or proposed development, as required by the zoning ordinance or other applicable ordinance.
- 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 as provided by Township Board resolution. The Planning Commission may adopt bylaws relative to the compensation and expenses of its members for travel when engaged in the performance of activities authorized by the Township Board, including, but not limited to, attendance at conferences, workshops, educational and training programs and meetings

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 one (1) year, with opportunity for re-election 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 hold at least four (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 two 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., except that the notice of a special meeting to Planning Commission members shall be at least 48 hours before the meeting.

Hartford Township, Van Buren County, Michigan
Ordinance Number 37
Hartford Township Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority

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 re-adopted under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.38001, 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 Hartford 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 under the master plan, the Township Board, after the master plan is adopted, may prepare or cause to be prepared a capital improvements program of public structures and improvements, showing those structures and improvement ins 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, 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 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 m ail 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.

Hartford Township, Van Buren County, Michigan
Ordinance Number 37
Hartford Township Ordinance to Confirm the Establishment of a
Planning Commission with Zoning Authority

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 Hartford 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

A motion that said Ordinance to Confirm the Establishment of a Planning Commission with Zoning Authority be enacted was made by Dowd and supported by Wilmoth at a regular meeting of the Hartford Township Board on the 9th day of June, 2011.

The names of the Township Board members and their votes are as follows:

NAME	YES	NO
Ron Sefcik	<u> √ </u>	___
Julie Sweet	<u> √ </u>	___
Vanessa Wilmoth	<u> √ </u>	___
Kurt Dowd	<u> √ </u>	___
John McLellan	<u> √ </u>	___

Certification

I hereby certify that the foregoing is a true and complete copy of the Ordinance to Confirm and Establishment of a Planning Commission with Zoning Authority adopted by the Hartford Township Board at a meeting held on the 9th day of June, 2011, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meeting Act, Act No. 267 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: June 9, 2011

Julie L. Sweet, Township Clerk

Certification

I, Julie L. Sweet, Clerk of the Township of Hartford, Van Buren County, Michigan, do further certify that the foregoing and aforesaid Ordinance was duly published in the Herald Palladium circulating in said Township of Hartford, Michigan on the 23rd day of June 2011.

Effective date: June 23, 2011

TOWNSHIP OF HARTFORD
COUNTY OF VAN BUREN, STATE OF MICHIGAN
HARTFORD TOWNSHIP ORDINANCE NO 38

NOXIOUS WEED AND UNCONTROLLED PLANT GROWTH ORDINANCE

Adopted: February 12, 2015

Effective: March 19, 2015

An Ordinance adopted pursuant to 1941 Public Act 359, as amended, and 1945 Public Act 246, as amended, to secure the health, safety and welfare of the people of the Township; to protect agricultural crops from invasive plant species, and to avoid a blighting factor, by the control, regulation, and eradication of certain noxious weeds, and also certain plant growth of excessive height; to establish remedies, provide for the enforcement, and fix sanctions for the violation of this ordinance; and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF HARTFORD
VAN BUREN COUNTY, MICHIGAN

ORDAINS:

SECTION 1

TITLE

This ordinance shall be known and may be cited as the Hartford Township Noxious Weed Ordinance.

SECTION 2

DEFINITIONS

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

- A. "Noxious Weeds" means Canada thistle (*Cirsium Arvense*), dodders (any species of *Cascuta*), mustards (charlock, black mustard and Indian mustard,

species of Brassica or Sunapis), wild carrot (Daucus Carota), bindweed (Convolvulus Arvensis), perennial sowthistle (Sonchus Arvensis), hoary alyssum (Berteroa Incana), ragweed (Ambrosia Elatior 1.), poison ivy (Rhus Toxicodendron), poison sumac (Toxicodendron Vernix), and any other plant species which the Township Board determines, by resolution, is regarded in the community as a common nuisance weed.

- B. "Uncontrolled Plant Growth" means any non-woody vegetation exceeding a height of 8 inches; except where such vegetation is not out of character with the development of and landscaping in the surrounding area within 500 feet, and also excepting all small grain or food crops, such as wheat, corn, oats, barley or rye, and garden vegetables.
- C. "Owner" and "occupant" shall mean any person or entity with any ownership or possessory right or interest, including deed holders and land contract vendees (whether recorded or unrecorded), mortgagees, lessees, and other tenants, residents, and any agent of any of same.

SECTION 3

DUTY TO DESTROY / CUT NOXIOUS WEEDS AND UNCONTROLLED PLANT GROWTH

- A. The owner and occupant of land on which noxious weeds are found growing shall destroy such weeds before they reach a seed bearing stage, or a height of 8 inches, whichever occurs first, and shall prevent their regrowth; provided that this requirement shall not apply to any incidental noxious weeds in fields devoted to growing any small grain or vegetable crop.
- B. The owner and occupant of the following described lands shall keep uncontrolled plant growth thereon cut to a height of not more than 8 inches:
 - (1) lots within platted subdivisions and condominium subdivisions, including vacant lots.
 - (2) unplatted lands with a dwelling or other occupied building thereon, for a depth of 165 feet, the depth of the parcel, or the depth of the established yard area, whichever is less.

SECTION 4

PUBLIC NUISANCE

All noxious weeds and uncontrolled plant growth in violation of the provisions of this ordinance are hereby declared to be a public nuisance.

SECTION 5

ADMINISTRATIVE PROCEDURES AND REMEDIAL ACTIONS TO ENFORCE ORDINANCE

- A. The Township shall give notice of the application of this ordinance by one or both of the following means:
- (1) publish in a newspaper of general circulation in the Township during the month of March a Notice that weeds and/or plant growth in violation of this ordinance not destroyed/cut by May 1 of that year as required by this Ordinance may be destroyed/cut by the Township, and that the owner of any such land shall be charged with the expenses incurred by the Township to destroy/cut such weeds/plant growth as many times as is necessary to keep the land in compliance with this ordinance, and that the Township shall have a lien against the land for the amount of such expenses, and that such lien shall be enforced in the manner provided by state law for the enforcement of real property tax liens; and/or
 - (2) mail by certified mail with return receipt requested a notice to the owner, occupant or agent of any lands in violation of this ordinance, describing the methods of treating and eradicating the weeds and/or of otherwise complying with this ordinance, and giving notice of those matters referenced in subsection (1) immediately above. Failure to give such notice shall not constitute a defense to any action to enforce the payment of any penalty or debt provided for in this ordinance.
- B. If the owner/occupant/agent has failed or refuses to comply with the ordinance after either form of notice provided for in Section 5.A. above, the Township or its agent/designee may enter upon such land with or without mechanical equipment and destroy/cut the weeds/plant growth thereon in violation of this ordinance.
- C. All expenses incurred in such destruction/cutting shall be paid by the owner of such land. The Township shall have a lien upon such land for the full amount of such expenses, which may be enforced in the same manner as the enforcement of real property tax liens through entry upon the next tax roll of the Township and assessment as a general Township tax. Such expenses shall be subject to all interest and penalties provided for taxes due and collectible within the Township under the general tax laws of the State of

Michigan. In addition to the foregoing, the Township may sue the owner in an appropriate court of law for the collection of such expenses.

SECTION 6

VIOLATIONS AND ENFORCEMENT

- A. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.

Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

- B. Any violation of this Ordinance shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- C. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
--- 1st offense	\$ 150.00	---
--- 2nd offense	\$ 325.00	---
--- 3rd or subsequent offense	\$ 500.00	---

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

- D. This ordinance shall be administered and enforced by the person designated by the Township Board as the Township Noxious Weed Commissioner, by the Ordinance Enforcement Officer(s) of the Township, or by such other person(s) as the Township Board may designate from time to time.

SECTION 7

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 a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION 8

REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed. Specifically Section 302.4 of the International Property Maintenance Code (adopted as part of Ordinance No. 28) is hereby repealed.

SECTION 9

EFFECTIVE DATE

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

Hartford Township
Julie Sweet, Clerk

HARTFORD TOWNSHIP

VANBUREN COUNTY, MICHIGAN

ORDINANCE NO: 38A

ADOPTED: MAY 9, 2013

EFFECTIVE: JUNE 17, 2013

MUNICIPAL CIVIL INFRACTION ORDINANCE

An ordinance to amend certain specified Hartford Township Ordinances so as to make violation thereof a municipal civil infraction, to provide sanctions for violations thereof, and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF HARTFORD

VANBUREN COUNTY, MICHIGAN

ORDAINS:

SECTION I

AMENDMENT TO HARTFORD TOWNSHIP ORDINANCE NO. 3

Section 4 "Penalties" Hartford Township Ordinance No. 3, regulating the outdoor storage of dismantled, partially dismantled or inoperable motor vehicles, machinery and equipment is hereby amended to read in its entirety as follows:

"Sec. 4 Penalties

- a. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.
- b. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- c. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court

of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.

- d. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 2

AMENDMENT TO ORDINANCE NO. 4

The second and third paragraphs in Section 9 of Hartford Township Ordinance No. 4 (Ordinance Regulating Outdoor Assemblies) are hereby amended to read (to be inserted subsequent to the numerical list, which is retained):

"Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law, including but not limited to any emergency services response costs imposed pursuant to ordinance.

A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 3

AMENDMENT TO HARTFORD TOWNSHIP ORDINANCE NO. 9

Section 5 of Hartford Township Ordinance number 9 (ordinance regulating lot splits) is hereby amended to read in its entirety as follows:

"5. Enforcing Agency. The provisions of this ordinance shall be enforced by the Township Zoning Administrator.

Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 4

AMENDMENT TO HARTFORD TOWNSHIP ORDINANCE NO. 15

Section 5 of Hartford Township Ordinance No. 15, known as the "Public Entertainment Ordinance" is hereby amended to read in its entirety as follows:

"Sec. 5. Violation and Penalty

Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 5

AMENDMENT TO HARTFORD TOWNSHIP ORDINANCE NO. 16

Section 4 Hartford Township Ordinance No. 16, known as the "Pornographic Control Ordinance" is hereby amended to read in its entirety as follows:

"Sec. 4. Penalties.

Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 6

AMENDMENT TO HARTFORD TOWNSHIP ORDINANCE NO. 23

Section 4 of Hartford Township Ordinance No. 23, known as the "Regulation of Year Round Occupancy of Trailer Coaches, Mobile Homes and Relocatable Homes Ordinance" is hereby amended to read in its entirety as follows:

"Section 4 Violations and Penalty Fines

- A.** Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- B.** Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

Minimum Fine	Maximum Fine
-----------------	-----------------

- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 7

AMENDMENT OF HARTFORD TOWNSHIP ORDINANCE NO. 25

Section 6 of Hartford Township Ordinance No. 25, known as "Regulation of Garage, Yard and Rummage Sales" Ordinance is hereby amended to read as follows:

"Sec. 6. Penalties and Enforcement

- A.** Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

- B.** Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 50.00	\$500.00
- 2nd Offense within 3-year period*	\$ 75.00	\$500.00
- 3rd Offense within 3-year period*	\$ 200.00	\$500.00
- 4th or More Offense within 3-year period*	\$ 300.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 8

AMENDMENT TO HARTFORD TOWNSHIP ORDINANCE NO. 26

Section 7 of Hartford Township Ordinance No. 26 known as the "Hartford Township Mobile Structure Ordinance" is hereby amended to read:

"Section 7. Penalty.

- a. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.
- b. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- c. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- d. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 9

AMENDMENT TO ORDINANCE NO. 28

Section 106.3 of the International Property Maintenance Code of 2003, adopted by Hartford Township as Ordinance No. 28 is hereby amended to read:

106.3 "Violation and Penalties.

- a. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed to be responsible for a municipal civil infraction.
- b. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.
- c. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- d. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- e. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	300.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 10

AMENDMENT OF HARTFORD TOWNSHIP ORDINANCE NO. 31

Section 13 of Hartford Township Ordinance No. 31, known as the "Hartford Township Cemetery Ordinance" is hereby amended to read as follows:

"Sec. 13. Penalties and Enforcement

Any person, firm, association, partnership, or corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 50.00	\$500.00
- 2nd Offense within 3-year period*	\$ 75.00	\$500.00
- 3rd Offense within 3-year period*	\$ 200.00	\$500.00
- 4th or More Offense within 3-year period*	\$ 300.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to

proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 11

AMENDMENT OF HARTFORD TOWNSHIP ORDINANCE NO. 34

Section 4 of Hartford Township Ordinance No. 34, known as "Adoption of Michigan Housing Law" Ordinance is hereby amended to read as follows:

"Sec. 4. Penalties and Enforcement

- A.** Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

- B.** Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 50.00	\$500.00
- 2nd Offense within 3-year period*	\$ 75.00	\$500.00
- 3rd Offense within 3-year period*	\$ 200.00	\$500.00
- 4th or More Offense within 3-year period*	\$ 300.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 12
AMENDMENT TO ORDINANCE NO. 1

Section XVI "Penalty" of Hartford Township Ordinance No. 1 "Township Building Code" is hereby amended to read as follows:

"XVI: Penalty.

- A.** Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

- B.** Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 50.00	\$500.00
- 2nd Offense within 3-year period*	\$ 75.00	\$500.00
- 3rd Offense within 3-year period*	\$ 200.00	\$500.00
- 4th or More Offense within 3-year period*	\$ 300.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 13
AMENDMENT TO ORDINANCE NO. 22

Section 5 of Hartford Township Ordinance No. 22 known as the "Enforcing Agency Building, Mechanical , Electrical & Plumbing Codes Ordinance" is hereby amended to read as follows:

“Section 5 Violations and Penalties.

- A.** Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

- B.** Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
- 1st Offense within 3-year period*	\$ 50.00	\$500.00
- 2nd Offense within 3-year period*	\$ 75.00	\$500.00
- 3rd Offense within 3-year period*	\$ 200.00	\$500.00
- 4th or More Offense within 3-year period*	\$ 300.00	\$500.00

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

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Hartford Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any court of competent Jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense."

SECTION 14

AMENDMENT TO STATE CONSTRUCTION CODE AS ADMINISTERED AND ENFORCED BY HARTFORD TOWNSHIP

Hartford Township as the administering and enforcing agency for 1972 PA 230 hereby designates violation of the adopted Codes as municipal civil infractions as authorized by 1972 PA 230, as amended, being MCL 125.1523.

SECTION 15

DESIGNATION OF VIOLATIONS AND FINES

Hartford Township, as the administering and enforcing Agency for the State Construction Code (1972 PA 230, as amended) and all of the specified national and

state codes making up the same, including the plumbing, mechanical and electrical codes hereby sets forth penalties for violation of the adopted Codes by amending the respective “penalty” provision in each of the adopted codes to read as follows:

“Violation and Penalty.

Any person, firm, association, partnership, corporation or governmental entity that violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
-1 st Offense	\$ 75.00	\$ 500.00
-2 nd Offense*	\$ 150.00	\$ 500.00
-3 rd Offense*	\$ 325.00	\$ 500.00
-4 th or More Offense*	\$ 500.00	\$ 500.00

*within 3-year period determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which Hartford Township has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500 be ordered. In addition the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, compliance order or other appropriate remedy to compel compliance with this ordinance. Each day that a violation of this ordinance exists shall constitute a separate violation of this ordinance.”

SECTION 16

SEVERABILITY

Should any section, clause or provision of this Ordinance be declared to be invalid by a court of competent jurisdiction, 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.

SECTION 17

REPEAL OF CONFLICTING ORDINANCES

All Ordinances and parts of ordinances in conflict herewith are hereby repealed. Any proceedings pending, including prosecutions for violations under any previous ordinance provision being repealed hereby, shall not be affected by this Ordinance and may be continued pursuant to said previous ordinance provisions.

SECTION 18
EFFECTIVE DATE

The Ordinance shall take effect 30 days after publication following adoption.

HARTFORD TOWNSHIP
Julie Sweet, Clerk
61310 Co. Rd. 657
Hartford, MI 49057
269-621-4658
www.hartfordtownship.org

CLERK'S CERTIFICATE

I, Julie Sweet, Township Clerk of Hartford Township, Van Buren County, Michigan, certify that at a regular meeting of the Hartford Township Board held on the 9th day of May, 2013 at 7:30 p.m. at the Township Hall, located at 61310 CR 687, Hartford, MI 49057, that upon motion by Sweet and support from Wilmoth, the Board enacted and passed Ordinance No. 38, hereinbefore recorded, to become effective on June 17, 2013, and that the members of the Board present at said meeting voted on the adoption of said Ordinance No. 38 as follows:

Ron Sefcik	Yes
Julie Sweet	Yes
Vanessa Wilmoth	Yes
John McLellan	Yes
Kurt Dowd	Yes

I do further certify that the foregoing and aforesaid Ordinance summary was duly published in the Herald Palladium circulating in said Township of Hartford, Michigan on the 18th day of May, 2013.

Effective date: June 17, 2013

TOWNSHIP OF HARTFORD
COUNTY OF VAN BUREN, STATE OF MICHIGAN
HARTFORD TOWNSHIP ORDINANCE NO. 39

AMENDMENT TO NOXIOUS WEED
AND UNCONTROLLED PLANT GROWTH ORDINANCE

Adopted: March 10, 2015

Effective: March 30, 2015

An Ordinance amending ordinance number 38 to provide for a 30-foot cutting perimeter around residences; to make permissible weed height 8 inches; and to repeal all ordinances or parts of Ordinances in conflict herewith.

THE TOWNSHIP OF HARTFORD
VAN BUREN COUNTY, MICHIGAN

ORDAINS:

SECTION I

AMENDMENT TO ORDINANCE NO. 38

Section 3 subsection B. (2) of the Hartford Township Noxious Weed and Uncontrolled Plant Growth Ordinance is hereby amended to read as follows:

(2) unplatted lands with a dwelling or other occupied building thereon for a 30-foot perimeter surrounding the buildings and paved surfaces (parking areas, if any).

SECTION 2

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 a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION 3

REPEAL

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

SECTION 4

EFFECTIVE DATE

This ordinance shall take effect on March 30, 2015.

Hartford Township
Julie Sweet, Clerk

TOWNSHIP OF HARTFORD
COUNTY OF VANBUREN, STATE OF MICHIGAN

ORDINANCE NO. 40

ADOPTED: July 14, 2016

EFFECTIVE: August 19, 2016

LITTER AND VEHICLE/MACHINERY STORAGE ORDINANCE

An Ordinance to protect the public health, safety and general welfare of persons and property within Hartford Township through the regulation, control and prohibition of the depositing or storage of litter, and the parking or storage of inoperable or unlicensed vehicles and inoperable machinery within the Township; to provide civil sanctions for the violation of this ordinance; and to repeal all ordinances in conflict herewith.

THE TOWNSHIP OF HARTFORD

VANBUREN COUNTY, MICHIGAN,

ORDAINS:

SECTION I
TITLE

This Ordinance shall be known and may be cited as the Hartford Township Litter and Vehicle/Machinery Storage Ordinance.

SECTION II
PURPOSE

The purpose of this ordinance is to prohibit the depositing and accumulation of litter, and to limit and restrict the outside storage and parking of unused, partially dismantled or inoperable vehicles and machinery upon public and private premises within the Township; to provide restrictions concerning the repairing of said vehicles and machinery; to avoid injury and hazards to children and others attracted to such litter, vehicles and machinery; to prevent degradation of the environment caused by such litter, vehicles and machinery; and to minimize the devaluation of property values and the psychological ill effects of the presence of such litter, vehicles and machinery upon adjoining residents and property owners.

SECTION III
DEFINITIONS

As used in this Ordinance the following words and phrases shall have the following meaning:

A. "Litter" means all garbage, scrap and waste materials including but not limited to: rags; cartons; paper; cans; bottles; boxes; inoperable and discarded appliances and equipment; broken or discarded plaster, concrete, or brick building materials; scrap metal; discarded vehicle or machinery parts or tires; and any other junk, rubbish or debris of any kind.

B. "Vehicle" means any vehicle, motorized or not, operated or designed to be operated on public highways, streets or roads.

C. "Machinery" means any machine, motorized or not, operated or designed to be operated for the purpose of agriculture, manufacturing, processing, construction or transportation.

D. "Main Component Parts" means fenders, hood, radiator, motor, windows, doors, muffler, transmission, wheels, clutches, pulleys, and safety guards.

E. "Inoperable" means a vehicle or machinery with any of the following conditions in existence:

1. Where it is being dismantled for the sale, salvage, repair or reclamation of parts thereof.
2. Where it does not have all of its main component parts properly attached.
3. Where any other or additional conditions exist which cause the vehicle to be incapable of being driven under its own power, lawfully, upon the public streets.
4. Where any other or additional conditions exist which cause the machinery to be incapable of being used for the purpose it was designed.

F. "Person" means an individual, firm, corporation, or other entity of any kind.

G. "Approved Enclosure" means a fenced in area which meets the following requirements:

1. The fenced in area shall not exceed 4% of the property area, or 8,000 square feet, whichever is less.

2. The fenced in area shall not be located in the front yard setback area required pursuant to the Hartford Township Zoning Ordinance.
3. In the agricultural and residential zoning districts, fence height is limited to 6 feet. In industrial and commercial districts the fence height is limited to 8 feet. Fence height shall be at the maximum authorized by the zoning district in which the property is located.
4. The fence shall be solid with gaps between materials of no more than 3/4 inch.
5. The fence shall be constructed of durable exterior materials and shall be properly maintained.

SECTION IV REGULATIONS

A. LITTER

A person shall not deposit litter or permit or cause the outdoor storage of litter on any public or private premises, subject to the following exceptions:

1. Such litter is temporarily stored outdoors for not more than 14 days or for longer than any period which would cause the same to be odoriferous or a breeding place for insects or rodents, whichever is the lessor period.
2. Such litter does not include garbage or other putrescible liquids or solids, is screened from the view of all adjacent properties and abutting public or private right-of-ways, and is being stored only between monthly or more frequent regular disposal by the owner or occupant of the premises in a lawful manner, or by monthly or more frequent regular collection by a public or private litter or garbage disposal service.
3. Logs, branches, or other scrap wood shall not be considered litter if not located within the required front yard or side yard building setback areas as set forth in the Hartford Township Zoning Ordinance.
4. Firewood shall not be considered litter if not located within the front yard building setback area as set forth in the Hartford Township Zoning Ordinance.
5. Such litter is located in a duly licensed and properly zoned junk yard, salvage yard, or landfill where such uses or operations are legally authorized under the Hartford Township Zoning ordinance.

6. A special permit is first obtained for a period of not to exceed 30 days from the Township Board to be granted only in hardship cases beyond the control of the applicant, where special circumstances exist, where no adjoining property owner is adversely affected thereby, and where the spirit and purpose of these regulations are still observed. A special permit granted hereunder may be renewed for not more than two additional 30-day periods upon a showing of due diligence and continued satisfaction of the criteria set forth above for the issuance of the initial permit.

B. VEHICLES AND MACHINERY

No person shall park or store or permit to be parked or stored outside of a fully enclosed building upon any public or private premises owned, leased, rented, occupied or possessed by such person, any vehicle which is inoperable or which is not currently and validly licensed for operation upon the public streets, or any inoperable machinery, including a vehicle or machinery for sale, or any new or used vehicle or machinery parts, unless one or more of the following conditions exist:

1. Such vehicle or machinery or parts thereof are located in an "approved enclosure" as specified in this Ordinance. All materials are to be kept 12 inches below the fence height.
2. Such vehicle or machinery or parts thereof are located on an area of the property where because of topography and/or evergreens they are not visible from adjoining properties or right of ways, public or private. One or more sides of such an area may be a fence as described in the definition of "approved enclosure" in this Ordinance.
3. Such vehicle or machinery or parts thereof are located in a duly licensed and properly zoned junkyard, salvage yard, or new or used car or machinery dealer's lot or storage yard, where such uses or operations are legally authorized under the Hartford Township Zoning ordinance, and are conducted in conformance therewith.
4. Such vehicle or machinery is awaiting repairs or delivery to owners at an authorized service station, garage, paint shop, body shop or machinery repair shop legally authorized under the Hartford Township Zoning Ordinance and registered with the State of Michigan pursuant to 1974 PA 300, as amended, or other applicable statute, and is locked, and currently and validly licensed for operation upon the public streets, and is not a public nuisance.
5. Such vehicle or machinery, although temporarily inoperable because of minor mechanical failure, has substantially all of its main component parts attached, and, where subject to a license, is currently and validly licensed for operation upon the public streets, and is not in any manner dismantled;

provided that no premises shall contain any such vehicle or machinery for longer than 14 days in any one calendar year, calculated on a cumulative basis for the same or different vehicles or machinery and notwithstanding that no one such vehicle or machine remains upon the premises for more than said 14 day period.

6. Such vehicle is a modified, redesigned or reconstructed vehicle for a purpose other than that for which it was manufactured; provided that not more than one such vehicle may be allowed upon any premises pursuant to this subsection and any such vehicle shall comply with all of the following restrictions:
 - a. Any such vehicle shall not by reason of being worked on, tuned, or in any other way constitute a nuisance due to noise, fumes or operation that may be detrimental to adjoining properties and the general neighborhood.
 - b. No such vehicle shall be parked or stored in the required front yard building setback area of any premises as set forth in the Hartford Township Zoning ordinance.
 - c. Any such vehicle shall at all times be completely screened from the view of persons standing on adjoining roadways and the ground level of adjoining properties by solid ornamental fencing, terrain, trees, or other plantings.
 - d. Upon written application to the Township Clerk the Township Board shall have authority to grant a waiver from the vehicle storage location requirements set forth in subsection 6a and/or 6b if the Township Board reasonably determines that the following standards have been met:
 - (1) There are special circumstances beyond the control of the applicant that make it unfeasible or impractical to locate the modified vehicle in full compliance with these requirements;
 - (2) No adjoining property owner will be materially adversely affected by the waiver;
 - (3) The spirit and purpose of these regulations will still be observed.

A waiver granted pursuant to this section shall be in writing and may include any conditions (including limits on the time length of the waiver) reasonably deemed necessary by the Township Board to assure satisfaction of the aforementioned standards.

7. Such vehicle is for sale by the owner or occupant of the premises; provided that not more than any one such vehicle may be allowed upon any premises at any one time pursuant to this subsection, and provided that such vehicle shall at all times comply with all of the following restrictions:
 - a. Such vehicle shall be posted with a "For Sale" sign stating the telephone number or other means of locating the vehicle owner.
 - b. Such vehicle shall not remain upon the premises for more than thirty days.
8. Such vehicle or machinery is an agricultural or recreational vehicle or machine, is not inoperable, and is used or usable for agricultural purposes upon the premises where located, or for recreational purposes.
9. A special permit is first obtained for a period of not to exceed 30 days from the Township Board, to be granted only in hardship cases beyond the control of the applicant, where special circumstances exist, where no adjoining property owner is adversely affected thereby, and where the spirit and purpose of these regulations are still observed. A special permit granted hereunder may be renewed for not more than two additional 30-day periods upon a showing of due diligence and continued satisfaction of the criteria set forth above for the initial issuance of the permit.

SECTION V NUISANCE

Any accumulation of litter or any motor vehicle or machinery parking, storage, placement or repair activities in violation of any provision of this ordinance is hereby declared to be a public nuisance which may be enjoined or which may subject the violator to the sanctions provided for herein.

SECTION VI ENFORCEMENT AND SANCTIONS

- A. Any person who violates any provision of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute, punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
--- 1st offense within 3-year period*	\$ 75.00	\$500.00
--- 2nd offense within 3-year period*	150.00	500.00
--- 3rd offense within 3-year period*	325.00	500.00
--- 4th or more offense within 3-year period*	500.00	500.00

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

- B. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which the Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 be ordered.
- C. Any violation of this Ordinance shall also constitute a basis for a compliance order and for injunctive relief against the violator, restraining and prohibiting continuation of the violation, in addition to any other relief or sanction herein set forth or allowed by law.
- D. This ordinance shall be enforced by the Ordinance Enforcement Officer(s) of the Township, or by such other person or persons as the Township Board may designate from time to time.

SECTION VII
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided that this Ordinance shall not be construed to repeal any provision of the Zoning Ordinance.

SECTION VIII
EFFECTIVE DATE

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

Julie Sweet, Clerk
Hartford Township

Certification

I hereby certify that the foregoing is a true and complete copy of the LITTER AND VEHICLE/MACHINERY STORAGE ORDINANCE adopted by the Hartford Township Board at a meeting

held on the 14th day of July, 2016, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meeting Act, Act No. 167 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: July 22, 2016

Julie L. Sweet, Township Clerk

PUBLICATION

I hereby certify that a summary of the foregoing Ordinance was published in the Herald Palladium, Benton Harbor, Michigan, on the 19th day of July, 2016.

Julie L. Sweet, Township Clerk

**HARTFORD TOWNSHIP
VAN BUREN COUNTY, MICHIGAN**

ORDINANCE NO. 42

OUTDOOR EVENT AND ASSEMBLY ORDINANCE

ADOPTED: AUGUST 11, 2016

EFFECTIVE: SEPTEMBER 17, 2016

An Ordinance to secure the public health, safety and general welfare of the residents and property owners of Hartford Township, Van Buren County, Michigan, by the regulation of outdoor events and assemblies in the Township; by requiring a permit for such outdoor events; to prescribe sanctions for the holding or operating of an outdoor event without a permit or in violation of the provisions of the ordinance; and to repeal all ordinance or parts of ordinances in conflict therewith.

**THE TOWNSHIP OF HARTFORD
VAN BUREN COUNTY, MICHIGAN**

ORDAINS:

SECTION 1
TITLE

This Ordinance shall be known and cited as the Hartford Township Outdoor Event and Assembly Ordinance.

SECTION 2
PURPOSE

The purpose of this Ordinance is to secure the public health, safety and general welfare of the residents and property owners of Hartford Township by the regulation of outdoor assemblies and events in the Township, by requiring a review and permit process, and to control the outdoor gathering of large numbers of persons in excess of those normally drawing on the health, sanitation, fire, police, transportation, utility and other public services regularly provided in Hartford Township.

SECTION 3
DEFINITIONS

- A. The term “assembly” and/or “event”, as used in this ordinance, shall herein refer to any temporary outdoor event, including a festival, concert, public show, display, entertainment, amusement or exhibition or similar gatherings at which 75 or more

persons (including staff, employees and/or volunteers) are expected to attend. Any time the term “assembly” is used, the provision applies to festivals, concerts, public shows, displays, entertainment, amusements or exhibitions or other temporary outdoor events.

- B. “Event” does not pertain to birthday parties, graduation open houses, weddings and the like held infrequently as an accessory use to a principal residential use and this Ordinance shall not be deemed to prohibit or require a permit for a birthday party, graduation open house, wedding or other similar outdoor gathering held infrequently at a residence within the Township.
- C. “Event” shall not refer to an activity that is held entirely within a permanently enclosed and covered structure.

SECTION 4
PERMIT REQUIRED

A person shall not sponsor, operate, maintain, conduct or promote an outdoor event in Hartford Township without a permit for such assembly being issued by the Township Board.

SECTION 5
EVENTS PERMITTED

- A. Events shall be permitted on any Hartford Township parcel at least ten (10) acres in size subject to the following conditions:
 - 1. The event (including setup and tear down activities) shall occur for no more than 12 consecutive hours.
 - 2. An event may occur up to five (5) times during a calendar year (January 1 through December 31), but may not occur more frequently than every 45 days.
 - 3. The minimum parcel size for the holding of an event is ten (10) acres.
 - 4. The event shall not take place during the hours between 11:00 p.m. and 7:00 a.m. The Township Board shall have the authority to impose a greater, but not lesser, time limit on the event if the Board determines, in its sole reasonable discretion, that, given the nature of the proposed event, the subject property and/or the surrounding properties, such a time limit is necessary to satisfy the standards of this Ordinance for the granting of the requested permit.
 - 5. The event shall not materially interfere with traffic circulation, required off-street parking, or pedestrian safety. If an event is to occur on a parcel with road frontage on a designated state or federal highway, parking shall occur only on the parcel and no parking shall be permitted along the street or in the street right-of-way.

6. Adequate parking and ingress/egress for persons in attendance at the event shall be provided on and/or off-site. At a minimum, the applicant shall provide not less than one (1) parking space for every four (4) persons (including staff, employees and volunteers) expected to be in attendance at the event. Peak anticipated attendance shall be used to calculate the required parking for the event.
7. On-site parking shall be clearly marked and cordoned off to prevent pedestrian/vehicular conflicts. If off-site parking is approved for the event, clear pedestrian access, segregated from traffic, shall be provided.
8. Setbacks for all temporary structures and displays shall meet all Zoning Ordinance requirements.
9. The event and any of its associated activities (including parking) shall maintain a minimum setback of 100 feet from any property line and a minimum setback of least 300 feet from any property line bordering a residential use.
10. Adequate security will be provided by the applicant, for the preservation of order and for the protection of the property in and around the event site. The application shall be reviewed and approved by the Van Buren County Sheriff's Department and/or the State Police, regarding the adequacy of the type, number and provision of security personnel for the proposed event.
11. Toilet facilities, refuse containers, and security personnel shall be provided in adequate number to reasonably accommodate the amount of people anticipated at the event. Refuse containers shall be located so as to be readily accessible to persons in attendance at the event. The numbers of toilet facilities, washing facilities and refuse containers shall be determined by the County Health Department and shall be dependent upon the number of proposed guests and the type of event.
12. All lighting for the event shall be directed away and shielded from any adjacent residential areas.
13. The event shall not generate noise of such a volume or character as to unreasonably disturb the occupants in the vicinity of the subject property. In determining whether a proposed temporary event will satisfy this standard, consideration should be given to the volume and character of noise generated from other lawful activities conducted in the vicinity of the subject property.
14. The event shall be conducted in compliance with all applicable requirements of federal law, state law, country regulations and Township Ordinances, including, but not limited to requirements of the DEQ, DNR, MDOT, Van Buren County Road Commission, Van Buren County Soil

Erosion, and the Cass-Van Buren District Health Department. The applicant shall obtain all required approvals from the applicable federal, state, county and Township agencies and shall provide proof of same to the Township Board for review as part of the permit application.

15. If food is contemplated to be provided at an event, an applicant must demonstrate compliance with the food service and safety requirements of the Cass-Van Buren District Health Department. A letter from the Health Department may serve as proof of compliance with food service requirements if the same so states.
16. On-site overnight camping shall not be permitted in conjunction with events.
17. All applications for Outdoor Events shall be made to the Township Board no less than sixty (60) days prior to the first proposed event. Each application shall be accompanied by a fee, which fee shall be determined by the Township Board from time to time. The application fee may be held in escrow to cover the Township's costs in reviewing and acting upon the application.
18. Each application shall be accompanied by a letter containing the following information:
 - a. The name and address of the applicant.
 - b. The name and address of the property owner. If the property owner is not the applicant, the applicant shall submit with the application an affidavit from the property owner verifying the owner's consent to the use of the property for the proposed outdoor event.
 - c. A statement describing the type and nature of the proposed outdoor event(s).
 - d. The anticipated maximum number of persons in attendance (including employees, staff and volunteers) at the proposed event(s).
 - e. The date(s) and time(s) during which the event is proposed to be held. When approval is requested to be conducted on a recurring basis, the Township Board may waive all or part of this informational requirement for succeeding occasions to the extent that the Board deems such information unnecessary to assure that the event satisfies the standards provided within this Ordinance.
 - f. The insurance and bonding arrangement for the event with accompanying documentation of the same.

- g. The number and type of security persons proposed for the event.
 - h. A statement describing food and water supply and facilities.
 - i. A statement describing health and sanitation facilities.
 - j. A statement describing medical facilities and services, if any.
 - k. A statement describing noise control and abatement measures.
19. All applications for event permits must be accompanied by copies of a site plan of the subject property, containing, at a minimum, the following information:
- a. A north arrow and scale
 - b. All property lines with their dimensions
 - c. Location and dimensions of all existing and proposed temporary structures on and within 100 feet of the subject property.
 - d. Required setback from all property lines and from all adjacent residential parcels shall be shown on the site plan.
 - e. The location for on-site and/or off-site parking, including details on the segregation of parking and ingress/egress drives from event areas. If off-site parking is proposed, dedicated and segregated pedestrian access to the event site must be depicted on the site plan.
 - f. The location and number of all toilet facilities to be established on the subject property.
 - g. The location of all existing and proposed exterior lighting to be established on the subject property, including details of the proposed lighting fixtures.
 - h. The name of the party preparing the site plan.
20. The Township Board shall have authority to require additional information if it reasonably determines that, given the nature of the proposed event, the subject property and/or the surrounding properties, such information is necessary to determine whether the requested event satisfies the standards of this ordinance for the granting of the requested permit.

SECTION 6
GRANTING OF PERMIT

- A. The Township Board shall seek comments on the application from the Van Buren County Sheriff and/or the State Police; the applicable fire department serving the portion of the Township in which the event is proposed, applicable federal, state and/or county agencies and from other appropriate public officials as the Township Board may identify.
- B. The Township Board shall have the authority to approve the holding of an event and may grant a permit for the holding thereof if it determines that the provisions of this Ordinance have been complied with. The Township Board may impose reasonable conditions on the grant of any such permit.
- C. Before the Township Board may issue a permit, the applicant shall obtain public liability insurance with a limit of not less than \$1,000,000 and property damage insurance with a limit of not less than \$500,000 from a company approved to do business in Michigan. The proof of insurance shall name the Township as an additional insured and shall include an endorsement to that effect. Such insurance must be maintained for the entire permit duration, should the permit approve more than one event.
- D. Before the Township Board may issue a permit, the applicant shall obtain a corporate security bond or other surety in a form acceptable to the Township attorney, from a company authorized to do business in Michigan, in the amount determined to be acceptable to the Board, which shall indemnify the Township, its agents, officer, employees and the Board against any and all loss, costs, fees, charges, injury or damage whatsoever arising out of or in any way connected with the event or the Township's (or its agent, officer, employee or Board) provision of services to the same and which shall indemnify the owners of the property adjoining the event site for any costs attributable to cleaning up and/or removing debris, trash or otherwise restoring their property from damage resulting from the event.
- E. A permit for an Outdoor Event shall be posted in a conspicuous place on the property during the duration of the event.
- F. A permit for an Outdoor Event cannot be transferred to another person or to another location.

SECTION 7
REVOCAATION

The Township Board may revoke a permit whenever the permit holder or an employee or agent of the permit holder, fails, neglects or refuses to comply with any and/or all of the provisions, requirements and conditions set forth in the permit, this Ordinance or with any and/or all of the provisions, regulations, ordinances, statutes or other laws incorporated herein by reference.

SECTION 8
VIOLATIONS AND ENFORCEMENT

- A. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any permit issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.

Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.

- B. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.

- C. The following circumstances are hereby declared to be a violation of this ordinance; provided, however, that the specification of the same is not thereby to be construed to exclude other violations of this ordinance not specifically enumerated:

1. The holding of an event at which more than seventy-five (75) persons (including staff, employees and volunteers) attend without first having obtained a permit from the Township Board.
2. The holding of an event without first having obtained a permit from the Township Board.
3. The holding of an event for which a permit has been obtained outside of the parameters by which said permit was obtained.
4. Serving food or permitting camping at an event without a permit or license from the County Health Department and/or any state agency charged with the issuance thereof.
5. Failure to obtain any required permit, as required by law, including, but not limited to, building permits, electrical or other required permits.

- D. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
--- 1st offense	\$ 150.00	---

---	2nd offense	\$ 325.00	---
---	3rd or subsequent offense	\$ 500.00	---

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

SECTION 9
SEVERABILITY

The several provisions of this ordinance are declared to be separate and the holding of any Court that any section or provision thereof is invalid shall not affect or impair the validity of any other section or portion.

SECTION 10
CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict herewith and specifically Hartford Township Ordinance No. 3 “Outdoor Assembly Ordinance” are hereby repealed.

SECTION 11
EFFECTIVE DATE

This ordinance shall become effective 30 days after publication after adoption.

Julie Sweet
Hartford Township Clerk

Certification

I hereby certify that the foregoing is a true and complete copy of the OUTDOOR EVENT AND ASSEMBLY ORDINANCE adopted by the Hartford Township Board at a meeting held on the 11th day of August, 2016, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meeting Act, Act No. 167 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: September 6, 2016

Julie L. Sweet, Township Clerk

PUBLICATION

I hereby certify that a summary of the foregoing Ordinance was published in the Herald Palladium, Benton Harbor, Michigan, on the 17th day of August, 2016.

Julie L. Sweet, Township Clerk

**TOWNSHIP OF HARTFORD
VAN BUREN COUNTY, MICHIGAN**

Ordinance No. 43

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control, maintenance and management of cemeteries owned, controlled or operated by Hartford Township, in Van Buren County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.

HARTFORD TOWNSHIP (“Township”), COUNTY OF VAN BUREN, MICHIGAN ORDAINS:

Section 1. Title

This Ordinance shall be known and cited as the “Hartford Township Cemetery Ordinance.”

Section 2. Purpose and Intent

The Township Board recognizes and concludes that the proper and reasonable maintenance, appearance, and use of the cemetery or cemeteries owned or controlled by the Township is an important function of the government of the Township. It is also important that burials, disinterment’s, and other matters associated with a municipal cemetery are handled in a respectful and proper way in order to promote the safety, public health, and general welfare of the community. The Township Board finds that the adoption and enforcement of this Ordinance is in the best interests of the property owners and residents of the Township.

Section 3. Definitions

- A. A “cemetery plot” shall consist of a designated area in a Township cemetery sufficient to accommodate one burial space for one deceased person. Exceptions may be made with Township permission to accommodate infant burial or the burial of cremains.
- B. “Township” means the Hartford Township.
- C. “Township cemetery” or “cemetery” means any cemetery owned, operated, and/or controlled by the Township.
- D. “Infant” means someone who is two (2) years old or younger when s/he passes away.
- E. “Owner” means the person who purchased the right of burial to a specific cemetery plot from the Township.

- F. "First Responder" means someone who someone designated or trained to respond to an emergency, including but not limited to a fire fighter, a police officer / sheriff's deputy, and a paramedic.

Section 4. Sale of Cemetery Plots; Nontransferable

- A. The Township shall sell Cemetery plots to Township residents and taxpayers for the purpose of burial for the purchaser of a cemetery plot or his or her immediate family. No sale shall be made to funeral directors or others, except for those acting as an agent for an eligible purchaser.
- B. All sales of cemetery plots shall be made on a form approved by the Township Board, which grants a right of burial only and does not convey any other title or right to the cemetery plot sold. Such forms shall be signed by the Township Clerk or the Township Clerk's designee, and shall constitute a permit when approved. All sales shall be made through the Township Clerk's office.
- C. Cemetery plots may be sold by the Township to any non-resident and non-taxpayer of the Township on an as needed basis. The Township Clerk is hereby granted the authority to make such sale where the purchaser has a member of their immediate family buried at the cemetery. The non-resident, non-taxpayer may purchase two (2) cemetery plots. It is within the Township Board's discretion to authorize the sale of a burial right to a cemetery plot(s) to any other person(s).
- D. At the time of purchase from the Township, each cemetery plot shall be assigned the name of the specific person who shall be interred in that cemetery plot upon death. Each such person must either be a resident or taxpayer of the Township, or be a member of the immediate family of a qualified purchaser. If the owner of a cemetery plot desires to effectuate a name change regarding the assigned cemetery plot, that person must sell the cemetery plot back to the Township and repurchase that space in the name of another eligible person, since cemetery plots are otherwise nontransferable.
- E. Cemetery plots are nontransferable, but may be sold back for the original purchase price to the Township (for resale by the Township).
- F. The Township Board shall have the authority to place a limit on the number of cemetery plots sold to a particular person, as well as such person's family and relatives. Furthermore, the Township shall have the absolute right and discretion to determine whether a particular cemetery plot or plots will be sold and where such cemetery plot or plots will be located and within which Township cemetery. Such decision shall be based upon reasonable factors,

including, but not limited to, the number of vacant cemetery plots available and whether family or relatives of the person seeking to purchase a cemetery plot or plots are buried adjacent or nearby the cemetery plot or plots requested.

- G. The Township shall have the right to correct any errors that may be made concerning interments, disinterment's, or in the description, transfer, or conveyance of any cemetery plot, either by canceling the permit for a particular vacant cemetery plot or plots and substituting and conveying in lieu thereof another vacant cemetery plot or plots in a similar location within the cemetery at issue or by refunding the money paid for the cemetery plot to the purchaser or the successor of the purchaser. In the event that an error involves the interment of the remains of any person, the Township shall have the right to remove and transfer the remains so interred to another cemetery plot in a similar location in the same Township cemetery in accordance with law.
- H. The owner of every cemetery plot shall be responsible for notifying the Township whenever that person's mailing address changes.

Section 5. Purchase Price for Cemetery Plots; Indigent Burials

- A. Each cemetery plot shall cost the sum of \$300.00 for residents and taxpayers and \$900.00 for non-residents and non-taxpayers. All charges shall be paid to the Township Treasurer.
- B. The Township Board may waive some or all fees for the burial of indigent persons. Furthermore, the Township Board may set aside a portion of a Township cemetery or cemeteries for the burial of indigent persons.
- C. The Township Board may by resolution periodically alter the foregoing fees.

Section 6. Grave Opening Charges

- A. The Township may charge reasonable fees for the opening and closing of any cemetery plot, prior to and following a burial therein, and including the interment of ashes. Such fees shall be set from time to time by resolution of the Township Board, payable to the Township.
- B. No cemetery plot shall be opened or closed except under the direction and control of the Township Clerk's office.

Section 7. Markers or Memorials; No Monuments

- A. All markers and memorials must be comprised of stone or other equally durable composition and shall be placed at the head of the cemetery plot facing the same direction as the markers and memorials around them.
- B. Except for monuments which existed in a Township cemetery before the effective date of this Ordinance, no monument will be allowed or erected in a cemetery. For purposes of this Ordinance, "monument" shall be defined as any marker, memorial, statue or similar item which exceeds thirty (30) inches in height above natural ground level or which has a ground surface area exceeding thirty (30) inches in width (or forty-eight (48) inches in width for a double marker), with an overall height of no more than thirty (30) inches above ground level, including the foundation. Unless exception is made by the Township Clerk when an infant is buried with a parent, only one (1) marker or memorial shall be permitted per cemetery plot, or one marker or memorial in total where two adjoining plots share that one marker or memorial. Markers shall be no more than thirty-two (32) inches in width (or forty-eight (48) inches in width for a double marker), with an overall height of no more than thirty (30) inches above ground level, including the foundation. No advertising shall be allowed on said markers or memorial.
- C. The footing or foundation upon which any marker or memorial must be placed shall be constructed by the Township, or such person(s) as may be designated by the Township Board. Fees for such work shall be set from time to time by resolution of the Township Board, payable to the Township. Cemetery plots shall be verified by the monument company with the Township Clerk's office prior to ordering placement of a foundation.
- D. Should any monument or memorial become unsightly, broken, moved off its proper site, dilapidated or a safety hazard, the Township Board shall have the right, at the expense of the owner of the cemetery plot, to correct the condition or remove the same. The Township shall make reasonable attempts to contact the owner of the cemetery plot prior to any such work beginning.
- E. The maintenance, repair, and upkeep of a cemetery memorial, marker, urn, or similar item is the responsibility of the heirs or family of the person buried at that location. The Township has no responsibility or liability regarding the repair, maintenance, or upkeep regarding any such marker, memorial, urn, or similar item.

Section 8. Interment Regulations

- A. Only one (1) person shall be buried in a cemetery plot, except for a parent and infant child.
- B. Up to two (2) sets of cremains may be buried within one burial plot.
- C. The Township shall be given not less than forty-eight (48) hours' prior notice in advance of any funeral to allow for the opening of the cemetery plot. The opening and closing of cemetery plots shall be done only by the Township or such person or persons as are designated by the Township.
- D. The appropriate permit or form issued by the Township for the cemetery plot involved, together with appropriate identification of the person to be buried therein and the burial-transit permit from the health department, shall be presented to the Township Clerk or his or her designee(s), prior to interment. Where such permit or form has been lost, or destroyed, the Township Clerk must be satisfied, from his or her records, that the deceased person to be buried in the cemetery plot is an authorized and appropriate person for that space before any interment is commenced or completed.
- E. The surface of all graves shall be kept in an orderly and neat appearing manner within the confines of the cemetery plot involved.

Section 9. Disinterment's

- A. No disinterment or digging up of an occupied grave shall occur until and unless any and all permits, licenses, and written authorizations required by law for such disinterment or digging up of an occupied grave have been obtained from any applicable state or county agency, governmental unit, or official, and a copy of the same has been filed with the Township.
- B. The Township Board shall have the authority to refuse to allow a disinterment or the digging up of an occupied grave (and to refuse to issue a Township disinterment permit for the same) if the disinterment or digging up of an occupied grave is not done pursuant to a court order (issued by a court of competent jurisdiction) or does not have a reasonable basis.

Section 10. Winter Burials

- A. The Township may charge additional fees for winter burials.

Section 11. Cremains

- A. Cremains may be buried in a container approved by the Township in a cemetery plot or in a columbarium which has been installed by the Township within a Township cemetery.
- B. No cremains or human ashes shall be scattered or dispersed within a Township cemetery.

Section 12. Decorations and Plantings

- A. Summer plot decorations of flower pots, urns and grave blankets may be placed and maintained at the head stones of graves from May 1 through September 30 of each year. Winter plot decorations may be placed and maintained from November 1 through March 31 of the following year. Flags and flag holders are provided for all Veterans. Flags are put in place each year just prior to Memorial Day.
- B. No tree, shrub, landscaping, or similar plantings shall be permitted by individuals.
- C. Perennial flowers may be planted in urns or vases on either side of the memorial. Annual flowers shall be planted within 12 inches of the memorial and not extend past lot boundaries in full bloom. Cut flowers shall be allowed the same as annual flowers. Artificial flowers are to be placed on the sides or in front of memorials the same as regular flowers.
- D. The Township Board reserves the right to remove or trim any existing trees, plants or shrubs located within a cemetery in the interest of maintaining proper appearance and the use of the cemetery.
- E. The Township and/or its designee will make reasonable efforts to not disturb planting surrounding cemetery graves. However, the Township and/or its designee shall not be liable for damage to such plantings resulting from routine cemetery maintenance and upkeep.
- F. Mounds, bricks, blocks, and any borders which hinder the free use of a lawn mower or other gardening apparatus are prohibited.
- G. The Township or its designee shall have the right and authority to remove and dispose of any and all growth, emblems, displays, containers, and other items which through decay, deterioration, damage or otherwise become or are

unsightly, a source of litter or a maintenance problem, or any other item that interferes with routine cemetery maintenance and upkeep.

- H. Surfaces other than earth or sod are prohibited.
- I. All refuse of any kind or nature including, but not limited to, dried flowers, wreaths, papers, and plastic flower containers must be removed from the cemetery (or if available placed in a Township provided disposal container) within 10 days after a burial.
- J. No glass containers or items are allowed.
- K. Except for markers, memorials, flowers, first responder memorial flags and urns expressly allowed by this Ordinance, and veteran flags as authorized by law, no other item (including, but not limited to, ornaments, signs, trellises, statues, benches, landscaping, bricks, stones, grave border materials, or other structures) shall be installed or maintained within a Township cemetery, nor shall any grading, digging, mounding, or similar alteration of the ground or earth occur except as authorized by this Ordinance or by the Township.

Section 13. Disclaimer of Township Liability and Responsibility

Every person who enters, remains in, and travels within a Township cemetery does so at their own risk. The Township is not responsible for any injury, accident, or other calamity which might occur to any person present in a Township cemetery. Furthermore, the Township is not responsible for any damage or vandalism to, theft of, or deterioration of any burial monument, headstone, flower urn, or other item placed at or near a cemetery plot, burial site, or anywhere in a Township cemetery. The purchaser or transferee of any cemetery plot or the equivalent (and all subsequent transferees, assigns, heirs, or beneficiaries) hereby releases, waives, indemnifies, and holds harmless the Township for, from, and against any injury, damages, causes of action, claims, costs, and expenses associated with, relating to, and/or involving the cemetery plot or similar right, any headstone, monument, or similar items, and any matter related to the cemetery involved. Such waiver, release, and hold harmless provision shall apply not only to the Township, but also as to any Township employee, officer, official, or agent.

Section 14. Forfeiture of vacant cemetery plots

Cemetery plots sold after the effective date of this Ordinance and remaining vacant for fifty (50) years or more from the date of their sale shall automatically revert to the Township upon the occurrence of the following events:

- A. Notice shall be sent by the Township Clerk by first-class mail to the last known address of the last owner of record informing him/her of the expiration of the 50-year period and that that all rights with respect to said plots will be forfeited if he/she does not affirmatively indicate in writing to the Township Clerk within sixty (60) days from the date of mailing of such notice of his/her desire to retain such burial rights; and
- B. No written response to said notice indicating a desire to retain the cemetery plots in question is received by the Township Clerk from the last owner of record of said plots, or his/her heirs or legal representative, within sixty (60) days from the date of mailing of said notice.

Section 15. Repurchases of plots

The Township may repurchase any cemetery plot from the owner for a price set by the Township Board, upon the written request of said owner or his or her legal heirs or representatives.

Section 16. Records

The Township Clerk shall maintain records concerning all burials, cemetery plots, issuance of burial permits, and any other records of the Township related to Township cemeteries and the same shall be open to public inspection at all reasonable business hours.

Section 17. Vaults

- A. All burials shall be within a standard concrete vault (which meets all applicable laws) installed or constructed in each cemetery plot before interment. Vaults of other suitable materials may be allowed at the discretion of the Township.
- B. Cremains shall be in a container approved by the Township.

Section 18. Cemetery Hours

Unless otherwise specified by the Township Board by resolution, all Township cemeteries shall be closed during the hours from 9:00 p.m. until 7:00 a.m. the next morning. During those hours, no person shall be present in a Township cemetery. Such prohibition on being present in a Township cemetery during the time when a Township cemetery is closed shall not apply to any Township official, a person accompanied by the Township official, or any law enforcement or firefighting official when engaged in the lawful duties of any such office or position.

Section 19. Prohibited Uses and Activities

The following prohibitions shall apply within any Township cemetery:

- A. No person shall destroy, deface, apply graffiti to or otherwise injure any monument, sign, tree or other lawful item located within a Township cemetery.
- B. No person shall disturb the peace or unreasonably annoy, harass, or disturb any other person who is lawfully present on the grounds of any Township cemetery.
- C. No vehicles shall be permitted to drive on lawns or cemetery plots in a cemetery.
- D. There shall be no entry or presence in the cemetery by any person when the cemetery is closed or outside of authorized times, except those authorized in Section 18.
- E. There shall be no destruction of cemetery property.
- F. There shall be no destruction, defacing, cutting, etc., of any tree or plant within a cemetery.
- G. There shall be no headstones, ornaments, vases, plastic flowers, fences, benches, trellises, statues, signs, or any other item placed, kept, installed or maintained in a cemetery except those expressly allowed by this Ordinance.
- H. There shall be no disturbing of the peace or engaging in any loud or boisterous conduct.
- I. There shall be no digging, grading, or mounding unless expressly authorized by this Ordinance.
- J. There shall be no driving of an automobile, truck, or any vehicle on any portion of a cemetery except the designated roads or drives.
- K. There shall be no motorcycles, snowmobiles, four-wheelers, go-carts, or similar vehicles.
- L. There shall be no gathering of persons in excess of ten (10) people without prior Township approval (except during or incidental to a funeral occurring concurrent with burial).
- M. There shall be no disinterment or grave openings unless approved by the Township.

- N. There shall be no possession or consumption of any alcoholic beverage.
- O. There shall be no picnicking or consumption of food.
- P. There shall be no music, playing of any radio, or the use of any amplification device or similar item, except pursuant to a military ceremony or a funeral.
- Q. There shall be no solicitation or peddling of services or goods or any signs or placards advertising any goods or services.
- R. There shall be no littering or dumping.
- S. There shall be no unlawful interference with or disruption of a lawful funeral or funeral procession.
- T. There shall be no private signs, lighting, moving displays, or changeable copy on a sign.
- U. There shall be no fires, candles, or open flames.
- V. No children under twelve (12) years of age shall be allowed in any Township cemetery unless accompanied by an adult and are properly supervised by an adult.
- W. There shall be no exceeding of posted speed limits.
- X. There shall be no domestic animals of any kind or pets allowed within the cemetery grounds. However, this prohibition shall not apply to dogs assisting handicapped persons.
- Y. No firearms or archery arrows shall be discharged or shot except that military or other veterans organizations may carry arms for the purpose of firing over the grave at the burial of a member.
- Z. No person shall engage in any fight, quarrel, or disturbance.
- AA. Cremains or ashes of a deceased person shall not be scattered or dispersed.
- BB. There shall be no dumping, vandalizing, or tipping over of any lawful garbage container or receptacle.

Section 20. Fees

The Township Board shall have the authority to set fees pursuant to this Ordinance from time to time by resolution. Such fees can include, but are not limited to, a fee or fees for a burial permit, disinterment permit, grave opening, setting of foundations, grave closing, winter or holiday burial, the price for a new cemetery plot, transfer fees for cemetery plots, and other matters.

Section 21. Applicability of this Ordinance

- A. This Ordinance shall apply only to cemeteries owned, controlled or operated by the Township.
- B. The provisions of this Ordinance shall not apply to Township officials or their agents or designees involved with the upgrading, maintenance, administration or care of a Township cemetery.
- C. The provisions of this Ordinance shall not apply to police officers or firefighting officials or officers involved in carrying out their official duties.

Section 22. Interpretation by the Township Board

The Township Board shall have the authority to render binding interpretations regarding any of the clauses, provisions, or regulations contained in this Ordinance and any rule or regulation adopted pursuant to this Ordinance, as well as their applicability. The Township Board (or its designee) is also authorized to waive application of the strict letter of any provision of this Ordinance or any rules or regulations promulgated under this Ordinance where practical difficulties in carrying out the strict letter of this Ordinance or any rules or regulations related thereto would result in hardship to a particular person or persons or the public. Any such waiver, however, must be of such a character as it will not impair the purposes and intent of this Ordinance.

Section 23. Authority of the Township to Remove Unauthorized or Unlawful Items from a Township Cemetery

Any monument, marker, planting, trellis, personal item, urn, flowers or foliage (whether real or artificial), structure, flag (except for lawful veterans flags and first responder memorial flags) or other item which has been placed, installed, left, or maintained in any Township cemetery in violation of this Ordinance, or any county, state, or federal law, statute, or regulation may be removed by the Township from the Township cemetery at any time and destroyed or disposed of by the Township without any prior notice to, permission from, or liability or obligation to the person or persons who left, installed, maintained, or kept such item in the Township cemetery. No such item (including, but

not limited to, a monument, marker, planting, trellis, personal item, urn, flowers or foliage, structure, flag, or similar item) can be installed, placed, maintained, or kept in a Township cemetery unless expressly authorized by this Ordinance. Even if such an item is authorized to be installed, kept, maintained, or left in a Township cemetery, the Township shall still have the discretion to remove any such item at any time and dispose of the same without prior notice to, consent from, or liability to the person or persons who installed, maintained, or left such item in a Township cemetery.

Section 24. Penalties

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

A violation of any permit or permit condition issued pursuant to this Ordinance shall also constitute a violation of this Ordinance.

Section 25. Township Officials Who Can Enforce this Ordinance

Unless otherwise specified by the Township Board by resolution, the following officials or officers shall have the authority to enforce this Ordinance and to issue municipal civil infraction citations/tickets pursuant to this Ordinance:

- Township Clerk
- Township Ordinance Enforcement Officer
- Any deputy of the county sheriff's department

Section 26. Severability

The provisions of this Ordinance are hereby declared to be severable and should any provision, section or part thereof be declared to be invalid or unconstitutional by any

court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of this Ordinance, which shall continue in full force and effect.

Section 27. Effective Date; Conflicts

This Ordinance shall become effective thirty (30) days after a copy of this Ordinance (or summary thereof) appears in the newspaper. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

I, Julie Sweet, Clerk of the Township of Hartford, Van Buren County, Michigan, do further certify that the foregoing and aforesaid Ordinance was duly published in **The Herald Palladium** circulating in said Township of Hartford, Michigan on the **23 day of May, 2017**

I further certify that an Attested Copy of this Ordinance was **filed with the County Clerk**, Van Buren County, Michigan on the **26 day of May, 2017**.

I further certify that the foregoing Ordinance No. 43 is a true and correct copy of an Ordinance duly adopted by Hartford Township of the 11 day of May, 2017.

Julie Sweet
Township Clerk
Township of Hartford
Van Buren County, Michigan

**HARTFORD TOWNSHIP
VAN BUREN COUNTY, MICHIGAN**

ORDINANCE NO. 44

ADOPTED: February 8, 2018

EFFECTIVE: February 13, 2018

An Ordinance to establish fees for certain Township emergency services; to provide methods for the collection of such fees; to provide for exemptions therefrom; and to repeal all ordinances or parts of ordinances in conflict herewith.

**THE TOWNSHIP OF HARTFORD
VAN BUREN COUNTY, MICHIGAN**

ORDAINS:

SECTION I
TITLE

This Ordinance shall be entitled the "Hartford Township Fire and Emergency Services Fee Ordinance".

SECTION II
PURPOSE

This Ordinance is adopted for the purpose of partially financing certain specified types of fire and emergency services enumerated herein furnished to persons who are neither residents nor owners of real property in Hartford Township and therefore not subject to taxes or special assessments and to also help defray the costs of providing certain other specified types of fire and emergency services from those receiving direct benefits from those services.

SECTION III
FIRE AND EMERGENCY SERVICES FEE

A recipient or beneficiary of any of the enumerated fire emergency services set forth in Section IV of this Ordinance rendered in Hartford Township by or on behalf of the Hartford Fire Department (made up of City of Hartford and Hartford Township and directed by a Joint Administrative Board) (hereinafter "Fire Department") in Hartford Township shall be responsible for payment to Hartford Township of a fire and emergency services fee for the actual cost of providing such services in accordance with the provisions of this Ordinance, including, but not limited to, costs incurred for incident abatement, mitigation, clean-up, mutual aid, and stand-by service for the scene or incident. Such costs shall include, but are not limited to:

- A. All personnel costs of all personnel attending on behalf of and with the authority of the Township including their current hourly rate, fringe benefits, and salary apportioned to the length of time in attendance, calculated commencing one (1) hour after receipt of the signal to respond and continuing for each personnel until that personnel has concluded his or her incident related responsibilities.
- B. The equipment costs of all equipment attending as established by an itemized resolution of the Township Board setting forth the costs attributable to each piece of Township equipment which might be involved in such a response. This resolution

may be amended from time to time to reflect changes in equipment, inflation factors, and accounting records of past occurrences.

- C. Other expenses incurred by the Township, including but not limited to, rental or purchase of additional machinery or equipment, retention of consultants, medical and hospitalization costs, replacement costs related to disposable personnel protective equipment required to be disposed of, extinguishing chemicals, supplies and water purchased from water systems, and meals and refreshments for emergency personnel while responding to the incident.
- D. Additional charges imposed by any other local, state or federal government entities, related to the incident.
- E. Administrative costs incurred in accounting for all expenditures and for billing and collection of such expenditures, which shall not exceed 25% of the foregoing costs.

SECTION IV

SERVICES FOR WHICH FIRE AND EMERGENCY SERVICES FEE IS IMPOSED

A fire and emergency services fee calculated in accordance with Section III of this Ordinance shall be imposed for Fire Department and other Township services rendered, including stand-by services, in response to the following types of emergency incidents causing attendance of Fire Department personnel and/or equipment:

- A. False alarm (i.e., an emergency services call to a site when no actual emergency exists), if there have been three (3) or more prior false alarm calls to the same property within the past year.
- B. Incident involving spills onto a public or private road by a vehicle or trailer of non-hazardous materials [i.e., materials that are not "hazardous materials" as defined under the Hartford Township Hazardous Materials Cost Recovery Ordinance (Ordinance No. 27) of such quantity as to require Fire Department assistance in either removing the material from the road or in limiting access to the road until the material is removed.
- C. Fires caused by the illegal presence at the site of (1) methamphetamine or any other controlled substance as defined under Part 72 of PA 368 of 1968, as amended, and MCL 333.7104(2) or (2) chemicals and/or equipment being used for the illegal production of such a controlled substance.
- D. Emergency Fire Department stand-by requested by the Van Buren County Sheriff's Department or other law enforcement agency at a site where methamphetamine or any other controlled substance as defined under Part 72 of PA 368 of 1968, as amended, and MCL 333.7104(2) is being illegally kept or produced.
- E. A vehicle accident involving a vehicle owned by a party who neither resides in the Township nor owns real property within the Township. Notwithstanding Section VIII, the imposition of a fire emergency services fee for response to this type of incident shall be limited to those beneficiaries that neither own real property within the Township nor reside within the Township.
- F. A grass, brush or debris fire or bonfire not authorized or permitted by Township ordinance or by any required permit from the Fire Department.
- G. A fire or potential fire caused by a fireworks display not authorized or permitted by Township ordinance or state statute.

- H. A fire caused by proven or admitted arson by the owner of the premises or item subject to the fire.
- I. An incident involving downed power lines. Emergency service personnel-related charges for this type of incident shall commence after the first hour the Fire Department has responded to the incident and shall continue until all Township personnel have concluded personnel-related responsibilities.

SECTION V
BILLING PROCEDURES

Following the conclusion of the emergency incident, the Hartford Fire shall submit a detailed listing of all known expenses to the Township Clerk, who shall prepare an invoice to the responsible party(ies) for payment. The Clerk's invoice shall demand full payment within forty-five (45) days of the receipt of the bill. Any additional expenses that become known to the Hartford Fire Chief following the transmittal of the bill to the responsible party(ies) shall be billed in the same manner on a subsequent bill to the responsible party(ies). For any amounts due that remain unpaid after forty-five (45) days, the Township shall impose a late charge of one percent (1%) per month or fraction thereof.

SECTION VI
EXEMPTION

All federal, state, county, municipal and other public bodies shall be exempt from the foregoing fee.

SECTION VII
NON-EXCLUSIVE FEE

The foregoing fee shall not be exclusive of the charges that may be made by the Township for the costs and expenses of maintaining a Fire Department, but shall only be supplemental thereto. Monies may additionally be collected by the Township through general taxation after a vote of the election approving the same or by a special assessment established under the Michigan statutes pertinent thereto. General fund appropriations may also be made to cover such additional costs and expenses. The fees imposed under this Ordinance shall be deemed supplemental to the separate charges imposed under the Hartford Township Hazardous Materials Cost Recovery Ordinance (Ordinance No. 27) for Fire Department responses to incidents involving the release or threatened release of hazardous materials as defined under that ordinance.

SECTION VIII
MULTIPLE BENEFICIARIES

When a particular emergency service of the type enumerated in Section IV benefits more than one person or property, the owner of each property so benefited and each person so benefited shall be liable for the payment of the full charge for such service hereinbefore outlined. The interpretation and application of the within section is hereby delegated to the Fire Chief subject only to appeal, within the time limits for payment, to the Hartford Township Board and shall be administered so that fees shall only be collected from the beneficiary(ies) of the service. A "beneficiary" shall be defined for purposes of this Ordinance as any individual, corporation, association, partnership, joint venture or other legal entity that (1) caused the incident requiring Fire Department services, (2) is an owner and/or occupant or party in control of property from which the materials involved in the incident were released or spilled, (3) is the owner or lessee of the vehicle or trailer from which the materials involved in the incident were released or spilled, (4) is the owner of the materials involved in the incident which were released or spilled, and (5) in the case of an incident involving a false alarm call, the owner and/or lessee of the property which was the subject of the call.

SECTION IX
VIOLATION AND SANCTIONS

Any person or entity who neglects or refuses to pay the foregoing fire and emergency services fee within forty-five (45) days of the billing for the same shall be deemed to have committed a municipal civil infraction as defined by Michigan statute and shall be punished by a civil fine in addition to the payment of the required fee in accordance with the following schedule:

\$100.00 for each day that the aforesaid fee remains unpaid after the due date thereof but not to exceed \$500.

Additionally, the violator shall pay costs which may include all expenses direct and indirect which the Township of Hartford has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 be ordered.

In addition to the above, the Township may pursue any other remedy, or may institute any appropriate action or proceeding, in a court of competent jurisdiction to collect fees imposed under this Ordinance. The recovery of fees imposed under this Ordinance does not limit the further liability of responsible parties under local ordinance or state or federal law, rule or regulation.

SECTION X
SEVERABILITY

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

SECTION XI
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed. This Ordinance shall be deemed supplementary to the Hartford Township Hazardous Materials Cost Recovery Ordinance (Ordinance No. 27).

SECTION XII
EFFECTIVE DATE

This Ordinance shall take effect immediately upon publication after adoption.

Julie Sweet, Clerk
Township of Hartford

Certification

I hereby certify that the foregoing is a true and complete copy of the Hartford Township Fire and Emergency Services Fee Ordinance adopted by the Hartford Township Board at a meeting held on the 8th day of February, 2018, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meeting Act, Act No. 167 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: February 22, 2018

Julie L. Sweet, Township Clerk

PUBLICATION

I hereby certify that a summary of the foregoing Ordinance was published in the Herald Palladium, Benton Harbor, Michigan, on the 13th day of February, 2018.

Julie L. Sweet, Township Clerk

**TOWNSHIP OF HARTFORD
COUNTY OF VAN BUREN, STATE OF MICHIGAN**

ORDINANCE NO. 45

ADOPTED: March 14, 2019

EFFECTIVE: April 18, 2019

**PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS
ORDINANCE**

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Hartford Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

**THE TOWNSHIP OF HARTFORD
VAN BUREN COUNTY, MICHIGAN**

ORDAINS:

**SECTION I
TITLE**

This ordinance shall be known as and may be cited as the Hartford Township Prohibition of Marihuana Establishments Ordinance.

**SECTION II
DEFINITIONS**

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

**SECTION III
NO MARIHUANA ESTABLISHMENTS**

Hartford Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

**SECTION IV
VIOLATIONS AND PENALTIES**

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.

2. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction.

3. Each day during which any violation continues shall be deemed a separate offense.

4. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

5. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person (s) as designated by the Township Board from time to time.

SECTION V **SEVERABILITY**

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

SECTION VI **REPEAL**

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

SECTION VII **EFFECTIVE DATE**

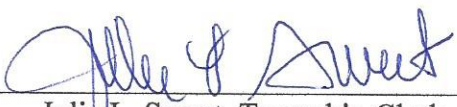
This ordinance shall become effective 30 days after publication after adoption.

Julie L. Sweet
Hartford Township Clerk

Certification

I hereby certify that the foregoing is a true and complete copy of the HARTFORD TOWNSHIP PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE adopted by the Hartford Township Board at a meeting held on the 14th day of March, 2019, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meeting Act, Act No. 167 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

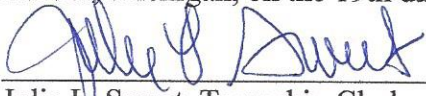
Dated: March 14, 2019



Julie L. Sweet, Township Clerk

PUBLICATION

I hereby certify that the foregoing Ordinance was published in the Herald Palladium, Benton Harbor, Michigan, on the 19th day of March, 2019.



Julie L. Sweet, Township Clerk

**HARTFORD TOWNSHIP
VAN BUREN COUNTY, MICHIGAN**

ORDINANCE NO. 46

ADOPTED: April 11, 2019

EFFECTIVE: May 18, 2019

An Ordinance to protect the health, safety, and general welfare of the residents, property owners, and people within the Township of Hartford, Van Buren County, Michigan, by regulating the operation of salvage yards and related or similar types of businesses within said Township; to provide rules and regulations to govern the operation of such businesses; to provide penalties for the violation of such rules and regulations; and to repeal Resolution 1 pertaining to salvage and junk yards.

**THE TOWNSHIP OF HARTFORD
VAN BUREN COUNTY, MICHIGAN**

ORDAINS:

SECTION 1
TITLE

This Ordinance shall be known as the Hartford Township Salvage Yard Ordinance.

SECTION 2
PURPOSE

The purpose of this Ordinance is to protect the health, safety, and general welfare of the residents, property owners and people within Hartford Township, Van Buren County, Michigan, by regulating the operations of salvage yards and related or similar types of businesses within said Township; to provide rules and regulations to govern the operation of such businesses; to provide penalties for the violation of such rules and regulations; and to make the same supersede all ordinances or parts of ordinances in conflict herewith.

SECTION 3
DEFINITION

The term "salvage yard" shall for purposes of this Ordinance include the yard or base location of any business in which used or damaged materials of any kind, including among others, used automobiles or the parts thereof and used building materials, are acquired for salvage and for dismantling, wrecking, sorting, storing, processing, fabricating, repairing or reforming for purposes of resale, reuse or other similar disposition. The foregoing shall not, however, include

automobile service or repair garages, automobile body repair shops, used car businesses, or other repair or service business operations involving goods, machinery or equipment owned by others than the operators of the salvage yard.

SECTION 4
PERMIT AND PERMIT FEE

- A) No salvage yard business, as herein defined, shall be operated within Hartford Township until an annual permit therefor has first been obtained from the Township Board, which permit shall not be issued until evidence has been submitted, disclosing to the satisfaction of the Township Board that the terms and conditions of this Ordinance have been or will be fully complied with and the proposed business site is properly zoned for such use.
- B) An annual permit fee of \$ 25.00 shall accompany all applications for a salvage yard permit, payable to the Township of Hartford, which shall entitle the applicant to operate such a business as defined in the Township Salvage Yard Ordinance for a period of twelve months, January 1 through December 31 of that year or until the end of the Township's general licensing period for business licenses whichever shall first occur. The fee shall be returned to the applicant if the permit is not issued.

SECTION 5
REGULATIONS

No salvage yard shall be allowed to be operated or be maintained within Hartford Township unless it complies at all times with the following rules and regulations:

- A) All outdoor storage or processing of materials shall be screened from adjoining property and public highways by a hedge, fence or other natural or artificial barrier. Such screening shall be constructed and maintained in an attractive manner, shall be at least eight (8) feet high, and shall be of sufficient density and height to accomplish the substantial screening of the outdoor operations from adjoining properties and public highways. Fencing in place prior to the adoption of this ordinance shall be grandfathered in.
- B) No burning of debris or surplus material shall be allowed on the premises except upon prior written approval of the Township Fire Chief of the fire district in which the premises are located.
- C) Unsalable or unusable material shall not be deposited upon the premises except where the same is so commingled with salable or usable material that it cannot easily or conveniently be previously separated off the premises.
- D) Such operation shall be equipped with a permanent office building for the transaction of business with customers and suppliers.
- E) Any new storage buildings or office buildings located upon the premises shall be constructed according to the Building Code of Hartford Township.

- F) The Township Board may, for cause shown, grant exceptions to the regulations herein contained where the spirit, intent and purpose of these regulations will still be complied with and an unnecessary or unreasonable hardship would otherwise exist by a strict construction and enforcement of such regulations.

SECTION 6
VIOLATIONS DEEMED NUISANCE

The operation of any salvage yard in violation of the regulations contained in this Ordinance is hereby determined to be detrimental to the health, safety and general welfare of the inhabitants, property owners, and people within Hartford Township, and a public nuisance.

SECTION 7
SANCTIONS

- A. Any license issued under the within Ordinance may be revoked or suspended during the 12-month period of its issuance as a result of any violations of the terms and conditions of said license and the within Ordinance. Such revocation or suspension shall be determined by the Township Board at a regular meeting of said Board preceded by notice to the licensee of the proposed action and the time, date, and place of the meeting at which this matter will be heard. The licensee shall have an opportunity to present any evidence or arguments on behalf of the licensee at such time. The extent of the suspension or revocation shall be in the discretion of the Township Board and shall be based upon the nature of the violation or violations which have occurred, the frequency thereof, and the likelihood of their correction with respect to future operations. A licensee shall be entitled to at least seven days prior notice in writing delivered to the place of business of any proposed suspension or revocation, the alleged grounds therefor, and the time, date and place of the meeting concerning the same. The reasons for any suspension or revocation shall be set forth in writing and mailed to the licensee at the last known address of such licensee within eight days after the Township Board decision concerning the same.
- B. Any person who violates any of the regulations or provisions contained in this Ordinance, whether as owner, lessee, licensee, agent, servant or employee, shall be liable as principal.
- C. Any violations of the regulations or provisions contained in this Ordinance shall constitute a basis for injunctive relief against the violator, restraining and prohibiting said violator from continuing said violation, in addition to any other relief or sanction herein set forth or allowed by law.
- D. Any person, licensee or entity that fails to register for a license under this ordinance or who violates the terms or conditions of this ordinance or the license granted thereto shall be deemed to be in violation of this Ordinance. Violation of this ordinance

constitutes a municipal civil infraction as defined by Michigan statute and shall be punished by a civil fine on accordance with the following fine schedule:

First offense within three-year period	\$150.00
Second offense within three-year period	\$225.00
Third offense within three-year period	\$325.00
Fourth and subsequent offense within three-year period	\$500.00

Additionally, the violator shall pay costs which may include all expenses direct and indirect which the Township of Hartford has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10.00 be ordered.

In addition to the above, the Township may pursue any other remedy, or may institute any appropriate action or proceeding, in a court of competent jurisdiction to enforce this ordinance.

The Township Board, whenever a violation of this Ordinance, of other laws or regulations of the State or Township pertinent to this business occurs, may hold a hearing to consider the permanent or temporary revocation of the license granted hereunder.

SECTION 8
SEVERABILITY

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

SECTION 9
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed. Resolution 1 of Hartford Township pertaining to salvage and junk yards is hereby repealed.

SECTION 10
EFFECTIVE DATE

This Ordinance shall take effect 30 days after publication of a summary hereof, after adoption by the Township Board.

Julie Sweet, Clerk
Township of Hartford

Certification

I hereby certify that the foregoing is a true and complete copy of ORDINANCE 46 HARTFORD TOWNSHIP SALVAGE YARD ORDINANCE adopted by the Hartford Township Board at a meeting held on the 11th day of April, 2019, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meeting Act, Act No. 167 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: April 12, 2019

Julie L. Sweet, Township Clerk

PUBLICATION

I hereby certify that a summary of the foregoing Ordinance was published in the Herald Palladium, St Joseph, Michigan, on the 18th day of April, 2019.

Julie L. Sweet, Township Clerk