

# AGENDA

## HAYES TOWNSHIP BOARD OF TRUSTEES

7:00p.m. April 1, 2019

09195 OLD US 31 N., Charlevoix, Mi, 49720

1. Call to Order
2. Pledge of Allegiance
3. Review and Approval of Agenda
4. Public Comments
5. Approval of Regular Meeting Minutes of March 11, 2019
6. Approval of Warrants: General Fund/ Capitol Project
7. Treasurers Report
8. Reports: County Commissioner, Zoning Administrator, Planning Commission, Zoning Board of Appeals, Parks and Recreation, Trustee's, and Supervisor Reports.

### NEW BUSINESS:

9. Charlevoix Fire Chief Presentation: (Fire chief will give a presentation)
10. MTA township election resolution discussion: (Should township elections be non-partisan?)
11. H & D, Rieth Riley Sand & Gravel Pit Reclamation: (JoEllen Rudolph will review the History)
12. Township Spring Clean-up: (Will Consider a Township spring Clean-up costing \$25,000)
13. Purchase New Deputy Clerk/Recording Secretary Computer: (Discuss Buying Laptop PC)
14. Township Parks Maintenance: (Discuss mowing, restroom cleaning, garbage etc.)
15. Cabin and Craft Building Status: (Potential removal of Craft Building and Waterfront Cabins)
16. Consumer Fireworks Ordinance: (A township consumer fireworks ordinance will be reviewed)
17. Public Comments

### OLD BUSINESS:

1. Recreational Marijuana Ordinance
2. Policies
3. DNR Recreational Property Purchase Bid

### ADJOURN MEETING

Welcome to Hayes Township Board of Trustees Meeting. We are glad you could join us as we discuss the future of our Township as well as attend to the day to day obligations.

1. The agenda is typically prepared in advance of the meeting so that the board and the public have an opportunity to prepare for our meeting. There may other issues that arise between when it is prepared and meeting time, we may make amendments or adopt as presented.
2. Public Comment is a time when the public may speak on any subject concerning the township. The Board typically will try to answer questions however there may be times that we do not have the answers. We will always try to get those answers for you. We ask that you are respectful of one another and understand we are in a public setting. Please keep your comments as brief as possible to allow all who would like to speak have that opportunity.
3. The first real order of business prior to beginning new business is to approve the minutes of the previous meeting. This allows the board to correct any errors and provide an accurate record of that meeting.
4. Approval of warrants: General and Capitol Project. The Board of Trustees is responsible as a whole to ensure that your tax dollars are spent wisely and that expenditures are accurate and properly accounted for. Each member of the board is equally responsible. The Clerk or Deputy Clerk prepare and sign checks for invoices submitted. The Treasurer reviews all invoices against the checks to again check for accuracy. After the warrants are approved by the board, the Treasurer signs and disburses the checks to each vendor.

The next few items on the agenda are the reports from different aspects of the Township and the County. By hearing those reports ahead of new business, it allows the board to have a better understanding of the township as a whole preparing them for better decisions.

1 DRAFT  
2 HAYES TOWNSHIP BOARD  
3 MINUTES  
4 March 11, 2019  
5

6 The regular meeting of the Hayes Township Board was called to order by Supervisor Ron Vanzee at 7:01 p.m. at  
7 the Hayes Township Hall, 09195 Old US 31 N., Charlevoix, MI 49720  
8

9 Supervisor Vanzee asked to be joined in the pledge of allegiance.  
10

11 Board members present were Bob Jess, Ron Vanzee, Julie Collard, and Warren Nugent. Matt Cunningham was not  
12 present and was excused by Supervisor Ron Vanzee. Audience members signed in were Connie Foster, Jeff  
13 Willard, David Zipp, John Kughman, Omar Feliciano, Doug Kuebler, Frank Shepherd and Paul Hoadley.  
14  
15

16 **REVIEWED AGENDA-** Bob Jess made a motion, supported by Julie Collard, to adopt the agenda as amended.

17 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent

18 Nays: None Motion carried  
19

20 Board Discussion. Ron Vanzee reviewed recent items added to the agenda. Items added were line 14A Fireworks  
21 Ordinance. Ron Vanzee decided to table the township recording equipment until next month.  
22

23 **PUBLIC COMMENTS-Public** comments were taken with an observation that the township take a good look at the  
24 percentage of conservation land in the township and confirm what percentage the township is at. Public  
25 comments were closed at 7:04 p.m.  
26

27 **MINUTES 2/11/19-** Julie Collard made a motion, supported by Bob Jess, to approve the regular meetings as  
28 corrected.

29 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent

30 Nays: none Motion carried  
31

32 **INVOICES/WARRENTS-** Bob Jess made a motion, supported by Julie Collard, to approve invoices totaling  
33 \$16,661.81 from the general fund. A Roll Call Vote was taken.

34 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent

35 Nays: None Motion carried  
36

37 **TREASURERS REPORT-** Julie Collard presented written report with an oral overview detailing all the current  
38 accounts held by the township. The township cash flow report was also reviewed.  
39

40 **COUNTY COMMISSIONER REPORT-** No report.  
41

42 **ZONING ADMINSTRATOR REPORT-** A written report was presented detailing two zoning permits during February.  
43 The report is available at the township hall.  
44

45 **PLANNING COMMISSION (PC) REPORT-** Ron Vanzee read Matt Cunningham's written report. PC approved plan  
46 for Arrigo/Culip shoreline restoration. Also mentioned the upcoming Planning Committee's special meeting  
47 regarding Elmer's special use permit request.

48  
49 **ZONING BOARD OF APPEALS (ZBA) REPORT-** Bob Jess gave an oral report. ZBA has been working on a Code of  
50 Conduct that was passed 2/2019. The ZBA also discussed ZBA Rules and Procedures.

51  
52 **PARKS & RECREATION ADVISORY COMMITTEE (P&R) REPORT-** No report

53  
54 **TRUSTEE REPORTS-No** report

55  
56 **SUPERVISOR REPORT-** Ron Vanzee reported that the banner at Hayes Township Park would be reattached. Ron  
57 Vanzee also requested that due to a conflict the April Board of Trustees meeting be moved from April 8, 2019 to  
58 April 1, 2019. Warren Nugent made a motion, supported by Julie Collard, to move Board of Trustees April meeting  
59 to April 1, 2019 at 7 p.m.

60 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
61 Nays: None Motion carried

62  
63 **NEW BUSINESS - RECORDING SECRETARY POSITION-** The BOT reviewed applications for the Recording Secretary  
64 position. Warren Nugent nominated Kristin Baranski, Julie Collard supported the nomination. Julie Collard made a  
65 motion to close nomination, supported by Bob Jess.

66 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
67 Nays: None Motion carried

68 Warren Nugent made a motion to appoint Kristin Baranski to the position as Recording Secretary, supported by  
69 Bob Jess.

70 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
71 Nays: None Motion carried

72  
73 **NEW BUSINESS -PLANNING COMMISSION RE-APPOINTMENTS-** Ron Vanzee encourages the BOT to reappoint Roy  
74 Griffiths, Ed Bajos and Omar Feliciano to the Planning Commission, each to a 3 year term, effective 3/11/2019.  
75 Warren Nugent made a motion, supported by Bob Jess, to re-appoint Roy Griffiths to the Planning Commission.

76 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
77 Nays: None Motion carried

78 Julie Collard made a motion, supported by Bob Jess, to re-appoint Ed Bajos to the Planning Commission.

79 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
80 Nays: None Motion carried

81 Warren Nugent made a motion, supported by Bob Jess, to re-appoint Omar Feliciano to the Planning Commission.

82 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
83 Nays: None Motion carried

84  
85 **NEW BUSINESS- FEDERAL EMERGENCY MANAGEMENT RESOLUTION #031119-** Warren Nugent made a motion,  
86 supported by Julie Collard, to adopt 03119a, the joint resolution with Charlevoix County to enforce the FEMA NFIP  
87 Regulations.

88 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
89 Nays: None Motion carried

90 Warren Nugent made a motion, supported by Bob Jess, to adopt 03119b, an ordinance to designate Charlevoix  
91 County as the FEMA Enforcement Agency.  
92 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
93 Nays: None Motion carried

94  
95 **NEW BUSINESS- ASSET LEVEL TEST RESOLUTION #021119-** Warren Nugent moves to amend Resolution 021119 to  
96 reflect the 2019 Federal Poverty Guidelines, supported by Julie Collard.  
97 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
98 Nays: None Motion carried  
99

100 **NEW BUSINESS- TOWNSHIP SPRING CLEAN UP** Ron Vanzee encouraged Board and audience participation of the  
101 subject of Hayes Township Spring clean-up. Concerned residents stated that other townships bring trash in to  
102 Hayes Township to dump. Ron Vanzee suggested that perhaps Hayes Township coordinates with nearby  
103 townships to have clean-up collections same time. Delay discussion until more information is obtained. Julie  
104 Collard will contact American waste for more information.  
105

106 **NEW BUSINESS- FIREWORK ORDINANCE-** Warren Nugent made motion to authorize \$300.00 to Bryan Graham to  
107 draft Hayes Township Ordinance and amendment to Act 635, with support from Bob Jess. A Roll Call Vote was  
108 taken.  
109 Yeas: Bob Jess, Ron Vanzee, Julie Collard, Warren Nugent  
110 Nays: None Motion carried  
111

112 **PUBLIC COMMENTS-** Public comments were taken. David Zipp asked about the bubblers and the shale wall at the  
113 park. He also asked about the DNR land near 9 mile point. Julie responded the application is in and application  
114 check was cashed. Several suggestions/questions were exchanged regarding cameras at Hayes Township Park.  
115 Public comments were closed at 7:57 p.m.  
116

117 **ADJOURNMENT-** Bob Jess made a motion, supported by Julie Collard, to adjourn at 7:57 p.m.

118  
119 Motion Carried to adjourn

120  
121 Respectfully Submitted,

122  
123 Kristin Baranski  
124 Hayes Township Deputy Clerk/Recording Secretary  
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# Zoning Administrator Report

March 2019

Zoning Permits/Actions for March 2019				
Permit#	Parcel#	Owner Name	Address	Improvement
19-03-01	112-010-10/888-503-00	T Mobile SBA Comm.	6290 US-31 North	Replace and add additional antennas and related equipment

## Zoning Permits

One zoning permit was issued to allow for the replacement and expansion of antennas and related equipment to the cellular tower located behind Bay Shore Steel Works in Bay Shore.

## Land Divisions

No new land division applications have been received during the month of March.

## Nuisance Complaints

No nuisance complaints were received during the month of March.

## Zoning Violations

No violations have been observed or reported during the month of March. One concern was voiced in regard to the Landscape Supply North LLC property along US-31 North just east of the Americinn as to the condition of the property. I am in the process of reviewing the files on this property to determine if the property is being maintained in compliance with the Zoning Ordinance requirements.

## Short Term Rental Licenses

No applications have been received for short term rental licenses during the month.

## Secretarial Work on behalf of the Planning Commission

The packet was copied and mailed out for the special March Planning Commission meeting which was held on March 13<sup>th</sup> to consider a request for a Special Use Permit for Team Elmer's to allow the location of a concrete batch plant on the former C.H. Smith property. Written comments that were received were copied and sent out to all commission members to provide them with the opportunity to review the comments in advance of the meeting. Three mailings were made, with a 4<sup>th</sup> packet handed out at the Commission meeting and a 5<sup>th</sup> packet was handed out at the regular meeting which was held a week later containing comments which

were received following the starting of the meeting on the 13<sup>th</sup>. While I have counted all of the pages of public comments, close to 400 pages of comments were provided to each Planning Commission member.

### Zoning Board of Appeals

The Zoning Board of Appeals did not meet in March.

### Meetings Attended

I have attended the March special and regular, Planning Commission meetings. I did not attend the Township Board meeting as I had a conflict with another meeting that night. I raced from that meeting to the Hayes Township Hall and got here as everyone was walking out the door.

### Special Notice

Due to the Township Board meeting date being moved from the normal 2<sup>nd</sup> Monday of the month to the 1<sup>st</sup> Monday which falls on April 1<sup>st</sup>, this report was prepared with one week remaining in March so additional activity might occur in March but if that is the case, it will be report in the April report.



To: Michigan Townships Association Member Boards  
From: Larry Merrill, MTA Executive Director  
Date: March 19, 2019  
Re: Option for Nonpartisan Township Offices

The Michigan Townships Association Board of Directors requests action by your township board on the attached resolution regarding a time-sensitive legislative policy issue.

Over the years, township officials have suggested to MTA that elective Michigan township offices should be nonpartisan. Consistent with long-standing policy and bylaws, the Michigan Townships Association Board of Directors put the question before the membership at the MTA Annual Meeting in 2012, where it was voted down by the MTA membership in attendance. However, a state representative intends to introduce and actively promote legislation to make nonpartisan township offices *optional* to townships. As an option rather than a mandate, the bill creates a policy dilemma for MTA between continued policy guidance on the question based on the 2012 Annual Meeting vote that did not address a nonpartisan option, and MTA's core value supporting the principle of local control. Also, a considerable period of time has lapsed since the membership voted to oppose nonpartisan elections and arguably the perspective of township officials may be different now.

MTA will need take a position on the optional nonpartisan election bill in the near future, even if that position is neutral. Because the MTA board has already finalized and provided notice to the membership of the proposed 2019 Policy Platform, the upcoming Annual Meeting is not conducive to ascertaining how the broadest spectrum of MTA member boards and their communities would value the opportunity to hold nonpartisan township elections.

To ascertain perspectives of the MTA membership, the MTA Board of Directors is asking *member township boards* to put this issue on the agenda to discuss and take a position at a township board meeting. The MTA board is taking this unusual step with the hope that the issue be framed in terms of a position that best reflects the values of townships as communities as opposed to what is in the best political interest of incumbent officials.

MTA is requesting that township clerks forward this memo to all members of their township boards and that if there is interest among the board to indicate a policy preference, to discuss the issue in the same manner that the board considers other pertinent issues, take a vote on the attached resolution, and **return the resolution to MTA by April 30,**

3/19/2019

Gmail - MTA Board of Directors requests action by your board

**2019.** The MTA bylaws do not allow this method of reaching out to members to be binding on the board of directors or staff in directing the association's legislative policies, but the association will take the input it receives seriously.

To assist your board in its discussions, a table is attached listing the pros and cons of partisan and nonpartisan elections that have been expressed to MTA, as well as the perceptions of MTA leaders. The list may not be all-inclusive and is not intended to influence whatever position your board may take.

As always, thank you for your time, thoughtful review and anticipated response on this matter.



Issue: Should Michigan townships have the option of holding township board member elections on the nonpartisan ballot?

Arguments <u>Supporting</u> Optional Nonpartisan Township Elections	Arguments <u>Opposing</u> Optional Nonpartisan Township Elections
Township elective offices in some other states are nonpartisan.	Partisan elections are inherent in the culture and traditions of Michigan township government.
Nonpartisan offices are an option available to cities as a charter provision.	Cities have home rule; townships and counties are statutory governments.
Township officials should be elected on merit, not party affiliation.	Party affiliations help voters know a candidate's values.
As some communities become more politically polarized, party affiliation disadvantages candidates who identify with community's minority party.	Township board composition should change as electors' expectations and ideologies change.
Township issues seldom align with political party ideologies.	Township boards decisions can reflect an expansive or a limited role of government consistent with party ideologies.
Veteran township officials are at risk of losing elections as their communities shift political party alignments.	Township boards should change as their electors change. It is not MTA's role to defend incumbents.
Partisanship has compromised the effectiveness of state and national legislatures. Townships should be allowed to insulate themselves from partisan divisiveness.	Partisan local elections are instructive to voters as to how state and national partisan elections work.
The preponderance of township officials of a certain party compromises MTA's influence with lawmakers of the other party.	Partisan identification strengthens MTA's political clout by leveraging party influence on public policy.
A potential solution to "voter fatigue" would be to move township elections to the gubernatorial elections, but there is no assurance that the legislation will accomplish this.	Because the nonpartisan section is at the bottom of a long ballot, "voter fatigue" results in fewer votes in the nonpartisan section of the ballot. There is no assurance that township elections will move away from presidential elections.

**Resolution**

At a meeting of the \_\_\_\_\_ Township Board, the following resolution was offered by (office, name) \_\_\_\_\_ and supported by (office, name) \_\_\_\_\_

*Be it resolved*, that the township board is on record in \_\_\_ support \_\_\_ opposition to legislation that would allow township boards the option to have its elected offices appear as nonpartisan on the ballot. The reason(s) for the board's position is/are as follows: *(if desired, elaborate with the basis for the board's position)*:

Roll call vote (please provide names of voting board members):

Supervisor	<u>    </u> <b>_yes</b>	-	<u>    </u> no
Clerk	<u>    </u> <b>_yes</b>	-	<u>    </u> no
Treasurer	<u>    </u> <b>_yes</b>	-	<u>    </u> no
Trustee	<u>    </u> <b>_yes</b>	-	<u>    </u> no
Trustee	<u>    </u> <b>_yes</b>	-	<u>    </u> no
Trustee	<u>    </u> <b>_yes</b>	-	<u>    </u> no
Trustee	<u>    </u> <b>_yes</b>	-	<u>    </u> no

The motion was declared \_\_\_ adopted \_\_\_ not adopted.

Clerk's certification

I hereby certify that the forgoing is a true statement of an action taken by the \_\_\_\_\_ Township Board at an official meeting of said board on (date) \_\_\_\_\_

Clerk's signature

\_\_\_\_\_

Date

*Township Clerk: Please complete after township board action and **return to MTA by April 30, 2019** by mail: Michigan Townships Association, 512 Westshire Drive, Lansing, MI 48917; or fax to 517-321-8908; or email a PDF copy to [legislation@michigan townships.org](mailto:legislation@michigan townships.org).*

**TOWNSHIP ORDINANCE ENACTMENT PROCEDURE  
FOR POLICE POWER ORDINANCES  
MCL 41.181, et seq**

{This procedure applies to police power/regulatory ordinances only. This procedure may be supplemented by or superseded by specific statutes relating to zoning ordinances, bonding ordinances, etc.)

The following are procedures or important information regarding the enactment of police power ordinances:

1. A proposed ordinance should always be reviewed by the township attorney prior to enactment. Even sample ordinances obtained from the Michigan Township Association should be reviewed carefully by the township board and the township attorney. Subsequent court decisions may affect MTA forms. MTA also warns in its samples that they should be carefully reviewed by the township attorney and not merely adopted word-for-word.
2. The ordinance must state when the ordinance becomes effective.
3. If the ordinance imposes a penalty, the ordinance must take effect thirty (30) days after its first publication.
4. If the ordinance does not impose a penalty, the ordinance may take effect the day following the date of publication or any date following publication which is specified in the ordinance.
5. Publication must be made within thirty (30) days after passage of the ordinance in a newspaper circulating within the township. The ordinance in full or a summary of the ordinance may be published. If a summary is used, the township attorney should prepare it. There are technical requirements which must be met. For example, if a summary of an ordinance is published, the notice of publication must designate the location in the township where a true copy of the ordinance can be inspected or obtained. If a summary is used, we will prepare a notice of publication which meets this requirement. Only one (1) publication is required, but additional publications may be made if the township board desires.
6. Within one (1) week after the first publication of the ordinance, the township clerk places the ordinance in the township ordinance book. A certified copy of the ordinance must also be filed with the county clerk within one (1) week after the first publication of the ordinance, unless the township maintains an office open to the public during regular hours on each business day. The ordinance book should contain the ordinance, the date of passage of the ordinance, the names of board members who voted, how each member voted, the date(s) of publication, the name of the publishing newspaper and the date of filing with the county clerk, when required.
7. The township may contract with a county sheriff's department for enforcement of the ordinance.

8. There are procedures for the appointment of an ordinance enforcement officer. It is strongly suggested that the township consult with the township attorney prior to the appointment of an ordinance enforcement officer. The ordinance enforcement officer and the township may be subjected to substantial liability if legal requirements are not followed in enforcement proceedings.

This outline has been prepared by YOUNG, GRAHAM & WENDLING, P.C., Attorneys at Law. Our firm specializes in the representation of governmental entities. Questions regarding this outline may be directed to our office.

Prepared by: YOUNG, GRAHAM & WENDLING, P.C.  
Attorneys at Law  
P.O. Box 398  
Bellaire, Michigan 49615  
(231) 533-8635

**HAYES TOWNSHIP  
CONSUMER FIREWORKS ORDINANCE  
Ordinance No.        of 2019**

AN ORDINANCE PURSUANT TO ACT 256 OF THE PUBLIC ACTS OF 2011, AS AMENDED, AND PURSUANT ACT TO 246 OF THE PUBLIC ACTS OF 1945, AS AMENDED, TO PROHIBIT THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS WITHIN THE TOWNSHIP, EXCEPT AS PERMITTED BY STATE LAW, AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

THE TOWNSHIP OF HAYES ORDAINS:

**Section 1. Findings.**

The Hayes Township Board makes the following findings: Public Act 246 of 1945 (MCL 41.181, *et seq.*) authorizes Hayes Township to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes Hayes Township to enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. The Hayes Township Board hereby finds that an ordinance prohibiting the ignition, discharge, and use of consumer fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare of persons and property within Hayes Township.

**Section 2. Title.**

This Ordinance shall be known as the Hayes Township Consumer Fireworks Ordinance.

**Section 3. Definitions.** As used in this Ordinance,

"Consumer fireworks" means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks.

"Low-impact fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

"Person" means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

**Section 4. Ignition, Discharge, and Use of Consumer Fireworks.**

No person shall ignite, discharge, or use consumer fireworks within Hayes Township at any time, except during any of the following days and times:

- (a). After 11 a.m. on December 31 and until 1 a.m. on January 1.
- (b). After 11 a.m. and until 11:45 p.m. on the Saturday and Sunday immediately preceding Memorial Day.
- (c). After 11 a.m. and until 11:45 p.m. on June 29 through July 4.
- (d). If July 5 falls on a Friday or Saturday, then after 11:00 a.m. and until 11:45 p.m. on July 5.
- (e). After 11 a.m. and until 11:45 p.m. on the Saturday and Sunday immediately preceding Labor Day.

**Section 5. Penalty/Civil Infraction.**

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a civil fine of One Thousand and 00/100 (\$1,000.00) Dollars for each violation of the Ordinance and no other fine or sanction. Five Hundred and 00/100 Dollars of the fine collected under this Ordinance shall be remitted to the Charlevoix County Sheriff's Office, which is responsible for the enforcement of this Ordinance. Each day this Ordinance is violated shall be considered as a separate violation.

**Section 6. Enforcement.**

The Township Supervisor, other persons designated by the Township Board, and deputies of the Charlevoix County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

**Section 7. Nuisance.**

A violation of this Ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.

**Section 8. Injunctive Relief.**

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

**Section 9. Validity.**

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

**Section 10. Effective Date.**

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

Ordinance No. \_\_\_ was adopted on the \_\_\_\_\_ day of \_ \_ \_ \_ \_ 2019, by the Hayes Township Board as follows:

Motion by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_  
Yeas: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

\_\_\_\_\_  
Warren Nugent, Clerk

\_\_\_\_\_  
Ron Vanzee, Supervisor

I certify that this is a true copy of Ordinance No. \_\_\_ that was adopted at a regular meeting of the Hayes Township Board on \_ \_ \_ \_ \_ 2019 and published in the \_ \_ \_ \_ \_ on \_ \_ \_ \_ \_ 2019.

Dated: \_ \_ \_ \_ \_

\_\_\_\_\_  
Warren Nugent, Clerk