

PUTNAM TOWNSHIP

Ordinance No. 55

ORDINANCE TO AMEND THE PUTNAM TOWNSHIP CODE OF ORDINANCES

PUTNAM TOWNSHIP ORDAINS

Sec. 1. Purpose. The purpose of this Ordinance is to ensure the health, safety, and welfare of the general public by clarifying certain ordinances related to noise and animals and to amend the ordinance number and penalty for violations of the Putnam Township Noise Ordinance. This Ordinance also amends the Municipal Civil Infraction Chapter to add "authorized township officials" who may issue municipal civil infraction citations or violations notices.

Sec. 2. Amendment of Chapter 2, Section 3. Chapter 2, Section 3, entitled Designation of Authorized Township Officials, is amended to read as follows:

The following personnel of the Township of Putnam have the authority to issue municipal civil infraction citations and municipal civil infraction violation notices pursuant to this Chapter:

- 1) Township Supervisor; and
- 2) Zoning Administrator; and
- 3) The Michigan State Police or any of its troopers, the Livingston County Sherriff or any of his or her deputies and any other police officer of any law enforcement agency that contracts with the Township to provide law enforcement services.

Sec. 3. Amendment of Chapter 4, Section 4. Section 4, entitled Care of Animal Facilities, is amended to read as follows:

Any person lawfully keeping or housing any animal or fowl or bird shall care and maintain the structure used for its keeping and shall manage and control such animal, fowl, or bird:

- 1) To prevent any malodorous or offensive condition to exist;
- 2) To prevent any frequent or long continued excessive noise from disturbing the quiet, comfort or repose of a reasonable person of normal sensitivities contrary to the provisions of Section 4.B(3) of the Putnam Township Noise Ordinance, Ordinance No. 42(A), as amended; and

- 3) To prevent any nuisance arising from the keeping or housing of any animal, fowl, or bird.

Sec. 4. Amendment of the Putnam Township Noise Ordinance, Ordinance No. 42. The Putnam Township Noise Ordinance, Ordinance No. 42, is hereby amended and shall be designated as the Putnam Township Noise Ordinance, Ordinance No. 42(A) in order to correct a clerical error and avoid the duplication of ordinance numbers.

Sec. 5. Amendment of Section 7 of the Putnam Township Noise Ordinance. Section 7 of the Putnam Township Noise Ordinance, entitled Enforcement and Penalties, is hereby amended and shall read as follows:

The Township may enforce any violation of this Ordinance by:

A. Municipal Civil Infraction.

Any person, firm, or corporation who shall violate any provision of this Article shall, be responsible for a Municipal Civil Infraction as provided in Chapter 2 of the Code of Ordinances, entitled the Municipal Civil Infraction Chapter.

B. Injunction and Abatement.

In addition to any other remedy that may be available under this Section, the Township may commence proceedings in a court of proper jurisdiction to enjoin or abate a violation of this Ordinance. Such proceedings shall be governed by the applicable statutes and court rules of the State of Michigan, and may include reimbursing the Township for its costs and reasonable attorney fees.

Sec. 6. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Sec. 7. Repealer Clause. Any ordinances, resolutions or parts of ordinances or resolutions, in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Sec 8.. Effective Date. This Ordinance shall take effect one day following publication.

I, Sally D. Guyon, Putnam Township Clerk, hereby certify as follows:

A. The above Ordinance amendment was passed by the Putnam Township Board of Trustees on the 16th day of March, 2011. The names of the members voting thereon and how each member voted was as follows:

Yeas: Rau, Guyon, Carney, McCloskey, Dobis, Klein and Chambers
Nays: None
Absent: None

B. A synopsis of the Ordinance amendment was published in the Livingston County Daily Press and Argus, a newspaper circulating within the Township, on the 25th day of March, 2011.

C. The Ordinance amendment is effective March 26, 2011.

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Sally D. Guyon, CMC
Putnam Township Clerk