

## **ORDINANCE NO. 8**

### **AN ORDINANCE PROHIBITING SEWERAGE DISPOSAL SYSTEMS AND MAINTAINING GARBAGE NEAR TOWNSHIP WATER WELLS**

An ordinance prohibiting the installation, operation, or maintenance of any sanitary sewerage line, septic tank, sewerage disposal system, privy, inside toilet, or any sewerage, or garbage within a certain radius of any township well furnishing water to the inhabitants of the township; and providing penalties for its violation.

**PREAMBLE:** In pursuance of authority conferred by the Statutes of the State of Michigan in such case made and provided, and for the purpose of providing protection to, and promoting the public health, safety, and general welfare of the inhabitants of the Township of Iron River, in the County of Iron, State of Michigan, the said Township of Iron River, ORDAINS as follows:

**SECTION 1.** It is hereby prohibited and declared unlawful for any person, firm, or corporation to install, operate, or maintain any sanitary sewerage line, septic tank, sewerage disposal system, inside toilet, or privy, or any sewerage or garbage within a radius of Two Hundred Twenty-Five (225) feet of any township well furnishing water to the inhabitants of the township, and any violation of the provisions of this ordinance is hereby declared to be a nuisance per se.

**SECTION 2.** For any and every violation of the provisions of this ordinance such person, firm, or corporation shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be punished by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars for each offense, or shall be punished by imprisonment in the Iron County jail for a period not to exceed ninety (90) days, or both such fine and imprisonment at the discretion of the court. Each day that a violation is permitted to exist shall constitute a separate offense

**SECTION 3.** The sections of this ordinance shall be deemed to be severable and should any section or provision thereof be declared by the courts to be invalid, the same shall not affect the validity of this ordinance, as a whole, or any part thereof, other than the part so declared to be invalid.

This ordinance shall become effective January 1, 1962.

The foregoing ordinance was duly adopted at a regular meeting of the Township Board of the Township of Iron River, County of Iron, Michigan, held at the Township Hall in said township, on the 9th day of November 1961, by a unanimous vote of all the members of said Board.

THE TOWNSHIP OF IRON RIVER, IRON COUNTY, MICHIGAN ORDAINS:

### **AMENDMENT TO ORDINANCE NO. 8**

Ordinance No. 8 is amended as follows:

SECTION 2: Amended to include the capitalized words:

SECTION 2: For any and every violation of the provisions of this ordinance such person, firm, or corporation shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be punished by a fine of not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars for each offense, or shall be punished by imprisonment in the Iron County jail for a period not to exceed ninety (90) days, or both such fine, and imprisonment at the discretion of the court, PLUS ALL COSTS OF PROSECUTION, INCLUDING ACTUAL ATTORNEY FEES. Each day that a violation is permitted to exist shall constitute a separate offense.

This amendment shall be effective thirty (30) days after its publication.

Ordained this \_\_\_ day of February 1999