

Chapter III

Public Safety

Article 1. FIRE ORDINANCE

Section 1.1 Applicability. This ordinance is adopted in the interest of public safety and is designed to promote the general peace, health, safety and welfare of the Township of Sharon. ¹

Section 1.2 Permits - Hours to Burn. This ordinance provides for the control of fires, burning of trash and rubbish, obtaining of permit, hours to set fires and the prevention of foul odors caused by burning. ²

Section 1.3 Permits - Where to Obtain. No person, partnership, firm, association or corporation shall, within the limits of the Township of Sharon, (when the ground is not snowcovered), start or have an open fire, except for domestic purposes, or set or cause to be set, burn or cause to be burned at any time, any structure, debris from structure torn down, brush limbs, or trees on any lot or parcel of ground within the Township of Sharon notwithstanding burning for domestic purposes unless such person shall first obtain from the fire chief of the district wherein the burning is proposed, a permit for such fire or fires. (See Section 8, Domestic Fires). ³

Section 1.4 Permits - Request For. Any person, partnership, firm, association or corporation designed to set a fire prohibited by the above provisions shall make application to the fire chief, as aforementioned, which application shall state the name and residence of the applicant, the location of the lands and premises where such fire is to be set and the time contemplated for setting such fire. Such application shall also state the reason for setting such fire and such other information as the township board may, from time to time, require. If such application is approved, said fire chief shall issue a permit to said applicant. ⁴

Section 1.5 Permits - Special. The fire chief may grant permission to authorized persons for the burning of trash, rubbish or similar waste material in open, supervised burning areas. ⁵

Section 1.6 Foul Odors. No person shall burn garbage, animal carcasses, refuse, trash, rubbish or like material giving off foul odors, at any time. This section applies to domestic, commercial and industrial fires. ⁶

Section 1.7 Permits - Commercial and Industrial. No person shall set or cause to be set, burn or cause to be burned, any papers, trash, rubbish, leaves, cut grass or weeds, unless confined within a fireproof container constructed of metal or masonry with an approved spark arrestor with openings no larger than three-fourths of an inch. Hours of burning shall be from sunrise to sunset. Burners of the metal drum or portable type shall not be located less than fifty feet from any building or less than five feet from the adjoining property line. Masonry or heavy metal constructed burners or incinerators

¹Ord. No. 4, §1, adopted August 5, 1976

²Ord. No. 4, §2, adopted August 5, 1976

³Ord. No. 4, §3, adopted August 5, 1976

⁴Ord. No. 4, §4, adopted August 5, 1976

⁵Ord. No. 4, §5, adopted August 5, 1976

⁶Ord. No. 4, §6, adopted August 5, 1976

shall be constructed to withstand the heat of twelve hundred degrees Fahrenheit and shall be located not less than fifty feet from a combustible building or property line, except as provided in Section 8. Masonry or heavy metal burners or incinerators shall be constructed with or attached to a suitable stack, the top of which stack is to be at least three feet above the eave line of adjoining building stacks are to be properly capped with approved spark arrestors.⁷

Section 1.8 Domestic Fires. A "domestic fire" is any fire around the home, within the curtilage of the dwelling where the material to be burned has been properly placed in a debris burner constructed of metal or masonry with an approved spark arrestor with openings no larger than three fourths of an inch. Burners of the metal drum or portable type shall not be located less than fifty feet from any structure or less than five feet from the adjoining property line. No permit shall be required for domestic fires.⁸

Section 1.9 Penalties. Any person, partnership, firm, association, or corporation who shall set or start an open fire without a permit as required by this ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be subject to a fine of \$500.00, or by imprisonment in the County Jail of Washtenaw County not to exceed ninety days, or both such fine and imprisonment; or who sets an open fire which necessitates calling any fire department. And the Township of Sharon may sue in any court of competent jurisdiction for civil damages and may recover such costs and expenses incurred by them from any person, partnership, firm, association or corporation who sets such an open fire.⁹

Article 2. TRESPASS

Section 2.1 Trespass Is Prohibited. It shall be unlawful for any person, firm or corporation to commit a trespass within this municipality upon either public or private property and entry upon the land of another without express or implied permission to do so shall be a trespass.¹⁰

Section 2.2 Specifically Enumerated Trespases. Without constituting any limitation upon the provisions of Section I hereof, any of the following acts by the person, firm or corporation shall be deemed included among those that constitute trespases in violation of the provisions of said Section I and appropriate action may be taken thereunder at any time or from time to time to prevent or punish any violation or violations of this ordinance. The aforesaid enumerated act shall include:

- a. Any entry upon the premises or any part thereof or another, including any public property in violation of a notice, posted or exhibited at the main entrance to said premises, or at any point of approach or entry or in violation of any notice, warning or protest given in writing by any owner or occupant thereof; or
- b. The pursuit of a course of conduct or action incidental to the making of an entry upon the land of another in violation of a notice posted or exhibited at the main entrance to said premises, or at any point or approach or entry or in violation of any notice, warning or protest given in writing by any owner or occupant thereof; or
- c. A failure or refusal to depart from the premises of another in case of being requested by any owner or occupant thereof; or
- d. Any entry into or upon any vehicle, aircraft or watercraft made without the written consent of the person having the right to possession or control thereof or failure or refusal to leave any

⁷Ord. No. 4, §7, adopted August 5, 1976

⁸Ord. No. 4, §8, adopted August 5, 1976

⁹Ord. No. 4, §9, adopted August 5, 1976

¹⁰Ord. No. 5, §1, adopted August 5, 1976

such vehicle, aircraft or watercraft after being requested to leave by the person having such right.¹¹

Section 2.3 Penalties. An person, firm or corporation, violating any of the provisions of this ordinance shall, upon conviction thereof, be fined in an amount not exceeding one hundred dollars (\$100.00) or imprisonment in the Washtenaw County Jail for a period not to exceed ninety (90) days or both.¹²

Article 3. UNIFORM TRAFFIC CODE

Section 3.1 Adoption of Uniform Traffic Code by Reference. The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 Public Act 306, as amended (MCL 24.201 et seq) and made effective October 30, 2002 is hereby adopted by reference. All references in said Uniform Traffic Code to a "governmental unit" shall mean the Township of Sharon.¹³

Section 3.2 Adoption of Provisions of Michigan Vehicle Code by Reference. The following provisions of the Michigan Vehicle Code, 1949 Public Act 300, as amended (MCL 257.1 et seq.) are hereby adopted by reference:

- a. Chapter I (Words and Phrases Defined): MCL 257.1-257.82.
- b. Chapter II (Administration, Registration): MCL 257.223, 257.225, 257.228, 257.243, 257.244, 257.255, 257.256.
- c. Chapter III (Operator's and Chauffeur's License): MCL 257.301, 257.310e, 257.311, 257.312, 257.312a, 257.324, 257.325, 257.326, 257.328.
- d. Chapter VI (Obedience to and Effect of Traffic Laws): MCL 257.601-257.601b, 257.602-257.606, 257.611-257.616, 257.617a-257.622, 257.624a-257.624b, 257.625 (except felony provisions), 257.625a, 257.625m, 257.626-257.626b, 257.627-257.627b, 257.628, 257.629b, 257.631-257.632, 257.634-257.645, 257.647-257.655, 257.656-257.662, 257.667-257.675d, 257.676-257.682b, 257.683-257.710e, 257.716-257.724.
- e. Chapter VIII (License Offenses): MCL 257.904-257.904a, 257.904e, 257.905.¹⁴

Section 3.3 Adoption of Other State Laws by Reference. Section 3102 of the Michigan Insurance Code of 1956, 1956 Public Act 218, as amended, pertaining to required insurance (MCL 500.3102) is hereby adopted by reference.¹⁵

Section 3.4 Penalties. The penalties provided by the Uniform Traffic Code and the provisions of the state laws hereinabove adopted by reference are hereby adopted as the penalties for violations of the corresponding provisions of this Ordinance.¹⁶

¹¹ Ord. No. 5, §2, adopted Ord. No. 4, §9, adopted August 5, 1976 amended September 11, 1976

¹² Ord. No. 5, §4, adopted August 5, 1976

¹³ Ord. No. 6, §2, adopted June 2, 2005

¹⁴ Ord. No. 6, §3, adopted June 2, 2005

¹⁵ Ord. No. 6, §4, adopted June 2, 2005

¹⁶ Ord. No. 6, §5, adopted June 2, 2005

Article 4. VEHICLE WEIGHT LIMIT AND MOTOR CARRIER SAFETY

Section 4.1 Vehicle Weight Limit. MCL Sections 257.722, 257.724, 257.726 and 257.726 b; MSA Sections 9.2422, 9.2424, 9.2426 and 9.2426 (2) (Vehicle Weight Limit), as amended, are hereby adopted and incorporated herein by reference.¹⁷

Section 4.2 Motor Carrier Safety. MCL Sections 480.11 et seq.; MSA Section 9.1666 et seq.: _____¹⁸ (Motor Carrier Safety), as amended, are hereby adopted and incorporated herein by reference.

Article 5. FIRE SERVICE FEES

Section 5.1 Purpose. This ordinance is adopted for the purpose of recovering from those persons receiving fire protection services and/or other emergency services from those receiving direct benefits from the service available.¹⁹

Section 5.2 Definitions. As used herein these words shall have the following meaning:

- a. *Fire department* means the Manchester Fire Department.
- b. *Township* means Sharon Township, Washtenaw County Michigan.
- c. *Responsible party* means any individual, firm, corporation, association, partnership, commercial entity, consortium, joint venture, government entity or any other legal entity responsible for a public safety or fire emergency incident or any owner, tenant, occupant or party in control of real and personal property from which, onto which or related to which there is a public safety or fire emergency incident and their heirs, estates, successors and assigns.²⁰

Section 5.3 Charges.

- a. The Treasurer shall bill any Responsible Party of fire or emergency medical services provided by the Township an amount equivalent to the Township's average cost per run for providing fire and/or emergency service. This cost shall be established by resolution of the Township Board and the amount charged shall be based upon a twelve (12) month average cost per run using information provided by the Manchester Township Fire Department. This cost shall be adjusted annually by no later than the February meeting of the Township Board.
- b. In addition to the foregoing, in the event of an incident involving hazardous materials, the responsible party shall not only be liable for the regular cost for services as herein established, but any additional costs and expenses incurred by the Fire Department in responding to the incident.²¹

Section 5.4 Billing, Time for Payment, Collection Remedies and Assessments.

- a. It shall be the responsibility of the Township Treasurer, or such person or other entity as may be designated by the Township Board, to send a bill to the Responsible Party by first class

¹⁷Ord. No. 7, §3, adopted September 4, 1997

¹⁸Ord. No. 7, §3, adopted September 4, 1997

¹⁹Ord. No. 8, §1, adopted August 4, 2009

²⁰Ord. No. 8, §2, adopted August 4, 2009

²¹Ord. No. 8, §3, adopted August 4, 2009

mail as soon as practical after the services are rendered.

- b. All of the foregoing charges shall be due and payable within 30 days of the date invoice is rendered.
- c. In the event of default in payment, the amount due, together with costs, interests and actual attorney fees expended in the collection process, shall be collectable through proceedings in District Court or in any other court of competent jurisdiction as a matured debt.
- d. The Township Board may also order the assessment of all delinquent fire run bills to be levied against property owners determined to be delinquent²²

Section 5.5 Exemptions. The following properties and services shall be exempt from the foregoing charges:

- a. False alarms, unless it is determined that the false alarm was called in by owner or occupier of the building or structure to which the fire department was called.
- b. Fires involving Township buildings, grounds and/or property.
- c. Fires of unknown origin on road right of ways.

Section 5.6 Non-exclusive Charge. The foregoing rates and charges shall not bar other charges that may be made by the Township for the costs of expenses of maintaining and operating fire protection service, but shall only be supplemental thereto. Charges may additionally be collected by the Township through general taxation after a vote of the electorate approving the same or by special assessment established under the applicable Michigan statutes. General fund appropriations may also be made to cover such additional costs and expenses.²³

Section 5.7 Multiple Property Protection. When a particular service rendered by the contracted Fire Department directly benefits more than one person or property, the owner of each property so benefitted and each person so benefitted where property protection is not involved shall be liable for the payment of the full charge for such service herein before outlined. The interpretation and application of the within section is hereby delegated to the Township Treasurer subject only to appeal, within the time limit for payment, to the Township board and shall be administered so that charges shall only be collected from the recipients of the service.²⁴

Section 5.8 Appeal. Any person aggrieved by the charges imposed pursuant to this ordinance may appeal those charges to the board of Trustees. The appeal must be initiated by filing a protest letter with the Township Clerk within 60 days of the notification of the charges. The Township Board shall then conduct a due process hearing and make a decision within 60 days of the hearing.²⁵

Article 6. DUMPING

Section 6.1 Maximum Height of Fill. There shall be no dumping of materials used for fill allowed to exceed by 3 feet the elevation of the nearest public highway or the elevation of the highest point of the parcel on which the dumping permit has issued.²⁶

²²Ord. No. 8, §5, adopted August 4, 2009

²³Ord. No. 8, §6, adopted August 4, 2009

²⁴Ord. No. 8, §7, adopted August 4, 2009

²⁵Ord. No. 8, §8, adopted August 4, 2009

²⁶Ord. No. 9, §1, adopted November 6, 1997

Section 6.2 Proximity to Drains, Highways Drains, Catch Basin Rights of Ways and Public Roads. There shall be no fill or dumping allowed within 25 ft. of any county drain, highway drain, any drain catch basin, rights of ways and public roads. ²⁷

Section 6.3 Permitted Fill Materials. Materials allowed to be used for fill shall be limited to concrete or earth. ²⁸

Section 6.4 Prohibited Fill Materials. Any materials not specifically permitted to be used for fill in Section 3 above shall not be dumped or stored on any land parcels in the Township of Sharon. ²⁹

Section 6.5 Required Cover. Within 30 days after expiration of a dumping permit, concrete used for fill must at all times be covered by a minimum of 12 inches, of dirt (earth). The cover required by this section shall be graded to provide a slope no greater than 1 foot vertical drop for every 4 feet of horizontal grade. ³⁰

Section 6.6 Permit Required. Any dumping or fill activity must obtain a permit before work is started. A dumping permit issued by the Township shall only be good for 30 days from the date of issuance. ³¹

Section 6.7 Permit Requirements. Prior to receiving a permit, all persons must submit the following to the Township:

- a. An application for dumping permit. Applications shall be obtained from and filed with the Township Clerk. The completed application shall provide the following information:
 - (1) Name, address and telephone number of the applicant
 - (2) Location of where the dumping is to occur
 - (3) Name address and telephone number of the person owning the land where the dumping is to occur, if different than the applicant.
 - (4) Name address and telephone number of the person(s) owning the material to be dumped and the land from which the material to be dumped being is to be removed, if different than the applicant.
 - (5) Identify the types of materials to be dumped.
 - (6) Identify the source of the material to be dumped.
 - (7) Indicate whether any dumping has occurred on the subject property within the past 10 years.
- b. A sketch drawing showing the area where the material is to be dumped.
- c. Applicant's acknowledgment that he has an obligation to remove from the property any illegal fill placed on the property and if,

²⁷Ord. No. 9, §2, adopted September 5, 2002

²⁸Ord. No. 9, §3, adopted September 5, 2002

²⁹Ord. No. 9, §4, adopted September 5, 2002

³⁰Ord. No. 9, §5, adopted September 5, 2002

³¹Ord. No. 9, §6, adopted September 5, 2002

- d. If the applicant is not the owner of the property where the dumping is to occur, a written agreement executed by the owner authorizing the dumping of materials and acknowledging the obligation of the land owner to remove from the property any illegal fill placed on the property and if, such illegal fill is not removed in a timely fashion by either the applicant or land owner, authorizing the Township to enter onto the premises to undertake the removal of such illegal fill, agreeing to reimburse the Township for the cost associated with such a clean up and authorizing the Township to assess the costs of clean up against the property by placing them on the tax rolls, if the costs of cleaning up the property is not reimbursed to the Township within 30 days after an invoice is presented to either the applicant or land owner.
- e. A permit fee as hereafter set by the Sharon Township Board in the Sharon Township Fee Schedule.³²

Section 6.8 Testing.

- a. In all cases where the application for a dumping permit indicates that the source for the material being dumped is coming from property other than the property on which the material is to be dumped, the Township may, at the applicant's expense, test the property where the dumping is to occur for the presence of illegal fill which shall consist of:
 - (1) Non-permitted materials and/or
 - (2) Hazardous wastes as defined by the United States Environmental Protection Agency and/or the Michigan Department of Environmental Quality.
- b. If such testing is required by the Township, the results of the test shall be forwarded to the applicant and the owner of the land where the dumping is to occur.
- c. In the event the testing demonstrates that dumped materials contain any illegal fill, the applicant and/or land owner, at his own expense, shall immediately remove and properly dispose of such illegal fill.
- d. If the applicant and/or land owner fails to take steps to remove the illegal fill within 30 days of the date that notification of its presence, the Township is authorized to enter onto the subject property and to contract to have the illegal fill removed and properly disposed. In such instances, the applicant and land owner shall be jointly and severally liable to reimburse the Township for any costs associated with clean up efforts. If the Township does not receive reimbursement within 30 days of invoicing the applicant and/or land owner for the cost of clean up, the Township may bring civil action against the applicant and/or land owner to recover the cost and all attorney fees incurred in connection with the clean-up process and in addition, the Township is authorized to assess such costs, including attorney fees, against the real property by placing them on the tax rolls.³³

Section 6.9 Residential Property. All property zoned residential shall be exempt from obtaining dump and fill permit if the only fill be dumped is uncontaminated soil and the fill does not exceed 12 inches in depth.³⁴

Section 6.10 Penalties. Every person convicted of a violation of any provision of this ordinance or any rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more than one hundred (\$100.00) dollars and cost of prosecution or imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall contribute a separate offense. In particular, each day that illegal fill

³²Ord. No. 9, §7, adopted September 5, 2002

³³Ord. No. 9, §8, adopted September 5, 2002

³⁴Ord. No. 9, §9, adopted September 5, 2002

material dumped or stored on property in the Township remains on site shall constitute a separate offense under this ordinance. The imposition of any such sentence shall not exempt the offender from compliance with the ordinance.³⁵

Section 6.11 Construction. Wherever the word "person" is used in this ordinance it shall also be deemed to include all firms, associations, organizations, partnerships, trust companies and/or corporations as well as individuals; wherever the singular is used it shall also include the plural; wherever the masculine is used it shall also include the feminine and neuter.³⁶

Article 7. NUISANCE AND JUNK ORDINANCE

Section 7.1 Public Nuisance Prohibited. No person shall commit, create or maintaining any public nuisance.³⁷

Section 7.2 Public Nuisance Defined. Any act or acts or omission to act on the part of any person which creates or permits the existence of a situation which annoys, injures or endangers the peace, welfare, order, health or safety of the public in their persons or property is deemed to be a public nuisance. As defined herein, a public nuisance includes, but is not limited to, those conditions specifically forbidden by the provisions of this Ordinance and all such other conditions which render persons insecure in life or in the use and enjoyment of their property, such as effects and emanations from noise, glare, lights, vibration, dust, smoke, odor, gas, steam, fly-ash, soot, acids, chemicals, fumes, cinders, worms, insects, rodents, flies, barking dogs, decaying matter, whether such effects and emanations are natural or result from human or mechanical alteration or manipulation of materials. A public nuisance also include residues or leaching from deposits of matter which seep into water on the surface or in the ground thereby making it unfit or unpalatable for human consumption, or for use by domestic animals. A public nuisance includes a condition which is indecent, obnoxious, or offensive to the senses.³⁸

Section 7.3 Additional Definitions. The meaning of terms used in this Ordinance shall be as follows:

- a. "Appliance" shall mean any mechanism which is operated by gas, electric current or motor, including, but not limited to, an ice box, refrigerator, or stove.
- b. "Garbage" shall mean all putrescible wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, but excluding recognizable industrial by-products, and shall include all such substances from all public and private establishments and from all residences.
- c. "Motor Vehicles" are hereby defined as any wheeled vehicles which are self-propelled or intended to be self-propelled.
- d. "Inoperable Motor Vehicles" are defined as motor vehicles which by reason of dismantling, lack of repair, or other cause are incapable of being propelled under their own power.
- e. "Dismantled or Partially Dismantled Motor Vehicles" are defined as motor vehicles from which some part or parts which are ordinarily a component of such motor vehicle has been removed or is missing.

³⁵Ord. No. 9, §10, adopted September 5, 2002

³⁶Ord. No. 9, §11, adopted September 5, 2002

³⁷Ord. No. 10, §1, adopted _____, 2005

³⁸Ord. No. 10, §2, adopted _____, 2005

- f. "Person" or "persons" shall mean a natural person and also includes corporations, partnerships and associations and their officers and officials existing under or authorized to exist under the laws of the State of Michigan or of any other state or any foreign country and all other entities of any kind capable of being sued.
- g. "Rubbish" shall mean dirt, leaves, grass trimming, tin cans, wastepaper, ashes, straw, shavings, junk and in general, non-putrescible wastes, normally incident to the lawful use of the premises on which accumulated.³⁹

Section 7.4 Littering and Accumulation of Garbage, Rubbish and Other Materia Prohibited.

No person shall place, deposit, throw, scatter or leave in any street, alley or public place, or on the private property of another, any refuse, waste, garbage, dead animal, rubbish, wash water or other noxious or unsightly material which interferes with the operation and use of motor vehicles in streets, alleys or public places. It shall be the duty of every occupant of property and the owner of unoccupied property at all times to maintain the premises occupied or owned by him, in a clean and orderly condition, permitting no deposit or accumulation of garbage or rubbish upon such premises, unless stored or accumulated as hereinafter provided. It shall be the duty of every occupant of property and the owner of unoccupied property to place any rubbish and/or garbage accumulated or stored outside of a dwelling or building of any premises in containers which shall be placed at the rear or side of buildings in a place which is reasonable inconspicuous and away from street and places occupied by other persons. Such containers, when used for the storage or accumulation of garbage or rubbish which is contaminated by garbage shall be constructed of nonabsorbent materials, shall be kept in a clean and sanitary condition and shall be covered. Such containers used for the accumulation and storage of rubbish shall be covered if there is a likelihood that rubbish will be carried therefrom by wind or other natural causes. Garbage and rubbish accumulated as aforesaid must be disposed of within a reasonable period of time in a manner not inconsistent with the provisions of this Ordinance.⁴⁰

Section 7.5 Abandoned or Inoperable Motor Vehicles and Appliances. The owner and/or occupant of any occupied premises and the owner of any unoccupied premises shall not keep or permit to be kept on such premises dismantled, partially dismantled or inoperative motor vehicles or appliances unless the same shall be stored or placed in a wholly enclosed garage or other wholly enclosed structure. Provided, however, that the owner of such motor vehicles or appliances may store on the premises of which he is owner, co-owner, or tenant, any such vehicles that are properly licensed that are not deemed excessive in number. Provided further, that the occupant and/or owner of every occupied premises and the owner of unoccupied premises shall not leave in any place accessible to children any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has an air tight door, or lock which may not be released or opened from the inside of said icebox or refrigerator or container unless the said lock or door has been removed therefrom.⁴¹

Section 7.6 Duty of Owner, Lessee or Occupant. It shall be the duty of any owner, lessee or occupant of any land within the Township to abate any nuisance existing on property located within the township under the owner's, lessee's or occupant's control. This includes, but is not limited to:

- a. The cessation of any activity creating a nuisance;
- b. The removal of all forbidden items as set forth above and the cutting and removing by lawful means all such brush, weeds, grass or other poisonous or harmful vegetation as often as may be necessary to comply with the provisions of this ordinance.⁴²

Section 7.7 Township to Do Work. If any owner, lessee or occupant of any land within the

³⁹Ord. No. 10, §3, adopted _____, 2005

⁴⁰Ord. No. 10, §4, adopted _____, 2005

⁴¹Ord. No. 10, §5, adopted _____, 2005

⁴²Ord. No. 10, §6, adopted _____, 2005

Township, fails to comply with the provisions of ordinance, the Township Board shall serve either personally, or by certified or regular mail, written notice upon the owner, lessee, or occupant or any person having the care or control of any such land to comply with the provisions of this Ordinance. If the person upon whom the notice is served fails to abate the nuisance within five (5) days after receipt of such notice, or if no owner can be found of such land, the Township Board shall cause the nuisance to be abated and the actual cost doing so shall be certified by the Township Board and shall become and be a lien upon the land where the nuisance was located and shall be assessed and collected in the same manner provided by law for collection of taxes. ⁴³

Section 7.8 Penalty. Every person convicted of a violation of any provision of this Ordinance or any rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of not more than one hundred (\$100.00) dollars and costs of prosecution or imprisonment for not more than ninety (90) days or by both such fine and imprisonment. Each act of violation and every day upon which any such violation shall occur shall contribute a separate offense. The imposition of any such sentence shall not exempt the offender from compliance with the Ordinance. ⁴⁴

Section 7.9 Enforceability or Mandatory Injunction. As a cumulative remedy to Section 8 any person who violates any provision of this Ordinance or any rule or regulation adopted or issued in pursuance thereof, may be made a Party defendant in a suit in the Circuit Court for the County of Washtenaw; the Township of Sharon shall have the power, through its attorneys, to request that said Circuit Court issue a Mandatory Injunction compelling the said Party Defendant in violation of this Ordinance to forthwith comply with said Ordinance. ⁴⁵

⁴³Ord. No. 10, §7, adopted _____, 2005

⁴⁴Ord. No. 10, §8, adopted _____, 2005

⁴⁵Ord. No. 10, §10, adopted _____, 2005