

Ordinance No. 271
PLANT ODOR ORDINANCE

The Charter Township of Larkin ordains: An Ordinance to regulate activities creating nuisance odors and to provide penalties for violation thereof.

Section 1. It shall be unlawful for any person to maintain any plant which by odor shall cause a nuisance to persons on adjoining property or in the neighborhood or passing upon the public streets.

Section 2. Any person or other entity who violates any provision of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine of not more than \$500.00, plus costs, which may include all direct or indirect expenses to which the Township has been put in connection with the violation. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, all violations of this Ordinance are declared a nuisance per se. The Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to abate said nuisance and to compel compliance with this Ordinance.

Section 3. Should any section, clause or provision of this Ordinance be declared by any court to be invalid, the same shall not affect the validity of the remaining portions of such section of this Ordinance or any part thereof other than the part so declared to be invalid.

Section 4. This Ordinance shall become effective Thirty (30) days after publication as required by law.

HISTORY

Adopted November 9, 2021.