

**VILLAGE OF LAKEWOOD CLUB
COUNTY OF MUSKEGON
STATE OF MICHIGAN**

Ordinance No. 44

SHORT TITLE: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE VILLAGE OF LAKEWOOD CLUB TO INCLUDE REGULATIONS PERTAINING TO DEBRIS UPON VILLAGE ROADWAYS.

THE VILLAGE OF LAKEWOOD CLUB HEREBY ORDAINS:

Section 1. Purpose.

It is the purpose of this Amendment to amend the Code of Ordinances for the Village of Lakewood Club to include regulations governing and prohibiting debris deposited on village roadways so as to preserve the health, safety and welfare of the residents and guests of the Village while traveling on village streets, roads and walkways.

Section 2. That the Code of Ordinances shall be amended as follows:

Sec. 1. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Person includes any natural person, association, partnership, organization or corporation. *Person* shall not include the state or a political subdivision of the state, or an employee of the state or a political subdivision of the state operating within the scope of his duties.

Roadway means that portion of a Village roadway, unpaved, or paved, improved, designed, or ordinarily used for vehicular travel.

Street or *highway* means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Deposit means to lay down; to place; to put; to let fall or accumulate on any village street, roadway or walkway.

Debris includes, but is not limited to, any accumulation of snow, ice, slush, yard waste, leaves, trash, or rubbish.

Sec. 2. Debris on Village roadways prohibited.

- (a) No person shall deposit any amount of debris on any street, highway, or roadway within the Village of Lakewood Club, nor shall any person deposit or place snow from public sidewalks onto public streets or roadways.
- (b) No person shall deposit any amount of debris in such a manner as to hinder or interfere with the ability to see pedestrian or vehicular traffic. In this regard, snow shall not be deposited, placed, shoveled or plowed to exceed four (4) feet in height on any property.
- (c) No person shall deposit debris in such a manner as to block passage of pedestrian traffic on public sidewalks, streets or roadways.

Sec. 3. Penalty for violation of article.

Any person violating any of the provisions of this article shall be deemed responsible for committing a misdemeanor punishable by up to 90 days in jail and/or up to a \$500 fine. A violator shall also be responsible for a \$100 police enforcement fee. Such person may also be required to pay restitution for the removal of the debris or any damage caused to the roadway, including but not limited to the cost of labor, supplies and equipment rental.

Section 3. Severability.

The provisions of this Ordinance are declared to be severable, and the holding of any court of competent jurisdiction that any section hereof is invalid shall not impair or invalidate any other section.

Section 4. Repeal of Conflicting Ordinances.

All Ordinances, or any section thereof, in conflict with this Ordinance to the extent of such conflict are hereby repealed.

Section 5. Effective Date.

This Ordinance will become effective upon publication.

Wendy Bloem
Village Clerk

Adopted: September 28, 2009

Published: October 4, 2009

Effective: October 4, 2009