WHITEWATER TOWNSHIP BOARD
SPECIAL MEETING AGENDA – JUNE 30, 2026, 6:00 PM
Village of Elk Rapids Governmental Center
315 Bridge Street, Elk Rapids, MI 49629
Phone: 231-267-5141 / Fax: 231-267-9020

Click the Link Below to View the Meeting Live

https://www.youtube.com/@whitewatertownship/live

At this time, the Board invites everyone to silence their electronic devices.

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon reasonable advance notice. Contact the Township Clerk at clerk@whitewatertownshipmi.gov at least 5 days in advance of the meeting.

A. Call to Order / Pledge of Allegiance

B. Roll Call of Board Members

C. Set / Adjust / Approve Meeting Agenda

D. Declaration of Conflict of Interest

E. Presentations/Announcements

1. Civil Infraction Presentation – Attorney Peter Wendling

F. **Public Comment:** Any person shall be permitted to address a meeting of the township board. Public comment shall be carried out in accordance with the following board rules and procedures:
   1. Comments shall be directed to the board, with questions directed to the chair.
   2. Any person wishing to address the board shall speak from the lectern and state his or her name and address.
   3. Persons may address the board on matters that are relevant to township government issues.
   4. The chair shall control the amount of time each person shall be allowed to speak, which shall not exceed five (5) minutes, excluding the time needed to answer board member's questions.
   5. In order to avoid unscheduled debates, the board generally will not comment or respond to presenters. Silence or non-response from the board should not be interpreted as disinterest or disagreement by the board.

G. Unfinished Business - none

H. New Business
1. Consideration of Zoning Ordinance Enforcement Language
2. Consideration of Update to Current Enforcement Policy
3. Consideration of General Ordinance Enforcement Language

I. Announcements

Next Township Board Meeting: 7/9/2026 6:30PM

Board Member Announcements

J. Public Comment

K. Board Comment

L. Adjournment

WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

DATE: 06/23/2026

TO: WWT Board

FROM: Supervisor Linda Slopsema

SUBJECT: Ordinance Updates – Civil Infraction

Ordinances:

Number	Topic	Year	Penalty	Recommendation
Zoning	Land Use	1972	Misdemeanor	Amend article 22 from Misdemeanor to Civil Infraction. PC conducts public hearing
GO 38	Junk	2005	Civil Infraction	Standardize wording "not more than $500"; Sheriff support confirmed
GO 63	Parking of Vehicles	2023	Civil Infraction	Standardize wording "not more than $500" Sheriff support confirmed

Code Enforcement Policy and Procedures Manual:

Amended to include attorney recommendations and citizen input. Includes a visual process flow chart.

1. Motion to direct the Planning Commission to review and amend the ZO Article 22 – Violations section 22.01 per attorney recommendation, conduct public hearing and provide recommendation to the township board.

2. Motion to approve the amended Ordinance Enforcement Policy as presented.

3. Motion to approve Amendment 1 to the Whitewater Township Junk Ordinance - Ordinance #38 as presented.

4. Motion to approve Amendment 1 to the Whitewater Township Parking of Vehicles Ordinance - Ordinance #63 as presented.

WHITEWATER TOWNSHIP

Zoning Ordinance

ARTICLE 22 – VIOLATIONS

Amendment of Article 22.01 Penalties (replacement text)

~~Any person who shall violate any provision of this Ordinance in any particular, or who fails to comply with any of the regulatory measures or conditions of the Board of Appeals adopted pursuant hereto, shall, upon conviction thereof, be fined not to exceed $100.00 or may be imprisoned not to exceed ninety (90) days, or may be both fined and imprisoned in the discretion of the court, and each day such violation continues shall be deemed a separate offense.~~

1. Any person, limited liability company, corporation, or association who creates or maintains a nuisance per se or who violates or fails to comply with this Ordinance or any permit issued pursuant to this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of the Michigan Compiled Laws, and shall be subject to a fine of not more than Five-Hundred and 00/100 ($500.00) Dollars. Every day that such a violation continues shall constitute a separate and distinct offense under the provisions of this Ordinance. Nothing in this section shall exempt the offender from compliance with provisions of this Ordinance.
2. The Township Zoning Administrator or supervisor or designee(s) as appointed by the township board are hereby designated as the authorized Township official to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.
3. In addition to enforcing this Ordinance as a municipal civil infraction, the Township may initiate proceedings in any court of competent jurisdiction to abate, eliminate or enjoin the nuisance per se or any other violation of this Ordinance.

22.02 Nuisance Per Se (replacement text)

~~Nothing in this Ordinance shall prohibit the Township or any interested party from seeking such other relief as may be permitted in law or in equity regarding the existence of a nuisance. A violation of this Ordinance is deemed to be a nuisance per se.~~

Any land, dwellings, buildings or structures including tents, recreational vehicles, trailer coaches or any other structure whether affixed, mobile or moveable, used, erected, altered, razed or converted in violation of this Ordinance or in violation of any regulations, conditions, permits, or other rights granted, adopted or issued pursuant to this Ordinance are hereby declared a nuisance per se.

Add: Severability

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Whitewater Township
Ordinance Enforcement Policy

Adopted 12/13/2011
Amended 6/30/2026
Effective 7/15/2026

A. Purpose

The purpose of ordinance enforcement is to enhance Whitewater Township's livability by protecting the health, safety and welfare of Township residents and visitors by assuring compliance with the Township's Zoning and General Ordinances.

B. Applicability

This policy applies to all ordinance enforcement carried out by the Zoning Administrator / Code Enforcement Officer.

C. Process Overview – see page 4

D. Initiation of Enforcement

Code Enforcement violations can be reported by either citizens or Township staff or Officials. ALL complaints must be filed in writing on a Township complaint form. These forms can be found on the Township website or are available at the Township Hall.

E. Ordinance Enforcement Record and Investigation

Once a complaint is received, it shall be recorded in the Township Code Enforcement Records and shall include the following:

1. Assigned case number
2. Complainant's name and contact information
3. The subject property address
4. Type of complaint with ordinance and sections being violated

Field Investigation

The Zoning Administrator / Code Enforcement Officer must conduct a field investigation to determine if the complaint is valid. If the complaint is not valid, the case will be closed. If the complaint is valid, the severity of the violation will be noted with pictures and other supporting information.

NOTE: Investigator should verify complaint from a public right-of-way if possible. Township employee(s) should take whatever precautions are necessary to remain safe.

F. Verified Complaint – Field Report

Once a complaint is noted and verified, the Zoning Administrator / Code Enforcement Officer will prepare a report on the field investigation to be kept in the file. Such information shall include:

- Date and time of field visit
- Violation(s) observed
- Witnesses interviewed if any
- Evidence obtained i.e. photos or measurements
- Any discussion with owners or occupants
- Recommended enforcement action and timeline
- Any referrals given to other agencies

G. Contact Owner(s)

1. Obtain property deed to determine ALL owners of property in violation
2. Summarize the nature of the violation in a letter to the property owner. This letter shall include the nature of the violation, methods for complying and proposed timelines for compliance.
3. Zoning Administrator / Code Enforcement Officer can make contact with property owner once all information is gathered. Such contact can be in person and should include the written letter outlining the concern. Voluntary compliance is the goal so the case can be closed.

H. Formal Letter to Owner(s)

If property owner does not respond to personal contact, the letter should be sent via USPS with a proof of service. All mailing and proof of service should be retained in the file to prove that these steps were taken before issuing any tickets. If property owner fails to respond to the mailed letter, the letter can be mailed a second time. If the mail comes back undeliverable, a process server or sheriff's deputy may be obtained to personally serve the letter to the property owner. If this does not produce a response or compliance, a ticket may be issued.

I. Voluntary Compliance Agreement

The responsible party shall enter into a Voluntary Compliance Agreement that will be signed by both the responsible party and the Township. Under special circumstances deadlines may be extended. The extended deadline shall be determined on a case-by-case basis contingent upon the effort already made to correct the violation, severity and extent of the violation, whether the violation is a repeat offense, weather, etc.

J. Compliance Verification

If the Zoning Administrator / Code Enforcement Officer determines that required corrections have been made, the date and method of compliance shall be noted in the file, and the case shall be closed.

Permit Requirements:

1. In some cases, corrective action may consist of applying for and obtaining necessary permits.
2. Any violation shall be corrected prior to issuance of any additional permits.

K. Issue a Ticket

If steps toward voluntary compliance have not been successful, a Municipal Civil Infraction Ticket may be issued.

When posting the ticket directly on the property, it must be posted clearly onto the building or structure, light pole or tree and a picture should be taken of the posting. The posting may not be placed on a mailbox. The ticket must **also** be mailed with a proof of service to the property owner. Pictures of the violation(s) must be taken on the day that the ticket is issued.

If mail is returned as undeliverable, the ticket may need to be personally served by a process server or a sheriff's deputy. Proof of service is needed in either case.

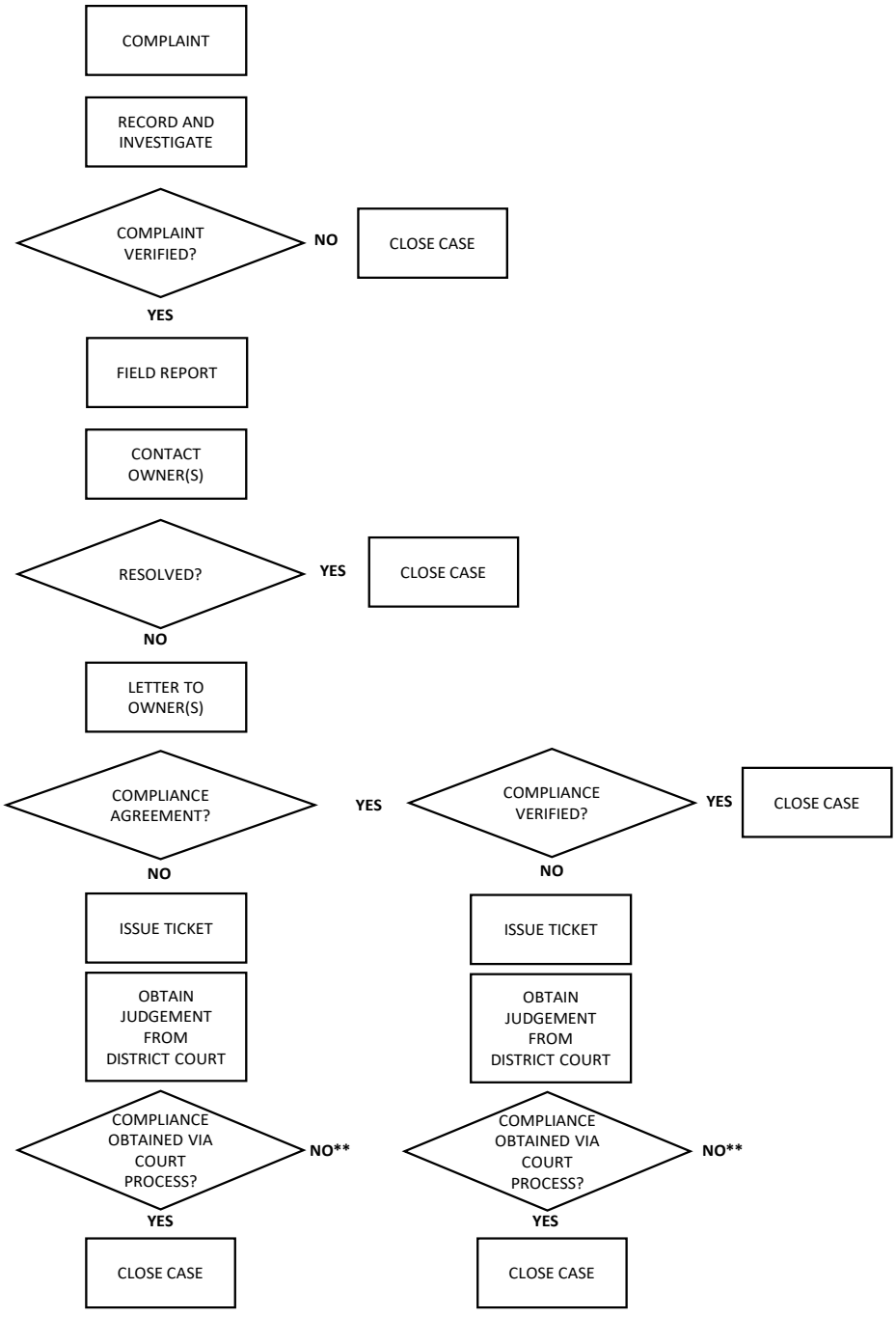
L. Resolution

It is the Township's policy to attempt to reach final, satisfactory resolutions of all violation complaints based on the resources of the Township. Where the Township determines that a violation may not be successfully resolved within the established reasonable timelines, alternative methods of enforcement may be pursued.

Whitewater Township
Ordinance Enforcement Policy

Adopted 12/13/2011
Amended 6/30/2026
Effective 7/15/2026

Ordinance Enforcement Process



**** If the violation continues to persist, alternative methods of enforcement may be pursued**

Whitewater Township
Code Enforcement Policy and Procedures Manual
(Adopted on 12/13/2011 by the Whitewater Township Board)
Effective 01/02/2012

I. Mission

The mission of Code Enforcement is to enhance Whitewater Township's livability by protecting the health, safety and welfare of Township residents and visitors by assuring compliance with the Township's Zoning and General Ordinances. The Township will assure compliance both by encouraging voluntary compliance and by following progressive steps, including legal action for Ordinance violators.

II. Purpose

The purpose of Whitewater Township's Code Enforcement Policy and Procedures Manual (hereafter "manual") is to provide written guidelines for:

- The prioritization of code enforcement cases;
- Investigation of violation complaints;
- Enforcement of Township Ordinances through voluntary compliance;
- Prosecution of violators who do not comply.

These written guidelines are intended to assure consistency within the Township's Code Enforcement Program and to educate the Township's citizens and property owners about code enforcement.

III. Code Enforcement Philosophy

The Township's policy is to achieve compliance with ordinances in cases of reported and discovered violations. However, not all violations have the same degree of severity. As such, the Township has established, through this manual, priority ranking and procedures. The intent is to allow the level of enforcement that best fits the type and circumstances of the violations within clear and objective criteria consistent with the established priorities and maximize available resources. It is the Township's policy that code enforcement follows the priority rankings set forth in this manual.

IV. Priorities for Code Enforcement

It is the Township's policy to investigate and attempt to resolve all reported and discovered violations. There may be times when code violations cannot be given the same level of attention, when some violations may receive no attention at all, or when the Township may be unable to carry out the proactive code enforcement activities outlined in this manual. In such circumstances, the most serious violations, as determined through application of the priorities and criteria in this section, shall be addressed before the less serious violations are addressed.

Priority of Violations

1. Violations that present an imminent threat to public health and safety or welfare;
2. Violations affecting storm drainage, wetlands, and/or adjacent areas;
3. Construction of non-permitted structures;
4. Multiple complaints received on the same property;
5. Zoning and Junk violations;
6. All other violations.

V. Criteria for Establishing Priority

Violations listed lower in the priority list may be moved to a higher ranking if they have one or more of the following aggravating circumstances:

1. The actions leading to the violation (s) are deliberate;
2. The violation causes economic harm to individuals or the Township as a whole;
3. The alleged violator is receiving significant economic benefit from the continued violation;
4. The physical size or extent of the violation is significant;
5. The violation has existed uncorrected for a significant period of time;
6. There is a previous history of complaints and code enforcement on the subject property and/or with the alleged violator;
7. There is community interest in the violation expressed by the receipt of multiple complaints from separate individuals or by a complaint by a citizens group;
8. After reasonable efforts have been made, there is little likelihood of obtaining voluntary compliance;
9. The violation(s) is flagrant and visible to the public.

VI. Applicability

1. General Applicability. The manual applies to all code enforcement carried out by Township employees and/or officials.
2. Non-Applicability to Deeds, Covenants and Restrictions. Many subdivisions, site condominiums and planned unit developments are subject to private deeds, covenants and restrictions. These conditions are enforceable through private legal action and not the Township.

VII. Initiation of Code Enforcement

Code Enforcement will be initiated by the following methods:

1. Citizen Complaints. Any person can make a complaint to the Township alleging one or more code violations. The complaint must be filed on a Township complaint form. The form is available at Township Hall and on the Township website. Citizens may attach a supplemental information sheet to the form.
2. Anonymous Complaints. Anonymous complaints will be accepted, but may or may not be investigated at the discretion of the employees/officials depending on the following factors:
    - The reliability of the complaint;
    - Whether the complaint alleges an imminent threat to public health and safety or welfare;
    - The ease or difficulty with which the complaint can be verified.
3. Report by Township Staff or Official. Township staff or officials may report a potential violation. Such complaints shall be filed on the Township complaint form or reported at a Township Board meeting.

VIII. Recording and Files

1. To the extent possible, all complaints received shall be recorded in the Township Code Enforcement records. Recording the complaint shall consist of the following:
    a. An assigned case number;
    b. Complainant's name and telephone number;
    c. The subject property address; and
    d. Type of complaint.
2. Files shall be kept within the property files already maintained by the Township and shall consist of the following:

a. The complaint form, which shall include the report of the field investigation as described within this manual;
b. Any supporting documentation.

IX. Investigation

1. Before contact or notice of violation is sent, it must be determined whether the complaint, if valid, establishes a violation. If it does not, the case will be closed.
2. Field Investigation. The purpose of a field investigation is to:
    a. Verify the existence and severity of a code violation;
    b. Document code violations by means of written notes, photographs, witness interviews, etc. All investigations shall include pictures, if possible.
    c. If possible, contact and discuss with the property owner, occupant or other responsible person:
        - The nature of the violation(s);
        - Methods for complying;
        - Timelines for compliance;
        - Enforcement procedures; and
        - Potential consequences for failure to comply.
3. Preparations and Precautions. Employees/officials shall take whatever actions are reasonable and necessary to minimize any potential risk of violent confrontation or injury to themselves when conducting their field investigation.
    a. Law Enforcement Assistance. When appropriate, Township employees/officials may request law enforcement assistance in conducting the field investigation.
    b. Entering upon Property or Premises. Township employees/officials shall not enter upon private property or premises to conduct a field investigation without permission to enter. Unless permission is granted, the investigation shall be conducted from the right-of-way or property where permission to enter has been granted.
4. Report of Field Investigation. Upon completion of the field investigation, employee/officials shall enter the information onto or attach to the Code Enforcement Complaint Form. The information shall include:
    a. Name of the investigator;
    b. Date, time and place of field visit;
    c. Violation(s) observed;
    d. If no violation(s) are observed, an explanation of conditions observed;
    e. Witnesses, if any interviewed;
    f. Evidence obtained, if any (photographs, measurements, etc.);
    g. Discussions, if any, with owners, occupants or other responsible persons;
    h. Action necessary to correct violation(s);
    i. Recommended enforcement action and timeline;
    j. Referrals, if any, to other agencies such as social services, environmental health, construction codes, etc.

X. Enforcement Levels

1. Obtaining voluntary compliance after initial contact.
2. Written Notice to Correct.
3. Second Written Notice to Correct.
4. Township Board directs the Grand Traverse County Sheriff's Department to issue a ticket or to file action with the Circuit Court.

XI. Enforcement Procedures

1. Initial Contact. When the employee/official determines that there are reasonable grounds to believe a violation did or does occur, based upon the information in the complaint and any field investigation, notice shall be given by the Township. The initial notice may be provided by means of personal contact with the violator, an informal "door hanger" or US mail.
2. Written Notice. If compliance is not met after the initial contact, a written notice shall be sent to the person who is or may be legally responsible for the alleged violation. Separate notice shall also be sent to the property owner(s). This notice shall be sent by certified mail to the best available address for the property owner(s) and other responsible person(s).
3. Followup. The date in the notice for corrective action shall be entered in the enforcement records. After the deadline, if the employee/official determines that the required corrections have not been made, a second written notice shall be sent in the matter consistent with the written notice as stated above.
4. Voluntary Compliance Agreement. Under special circumstances, deadlines may be extended. The responsible party shall enter into a Voluntary Compliance Agreement that will be signed by both the responsible party and the Township. The extended deadline shall be determined on a case-by-case basis contingent upon the effort already made to correct the violation, severity and extent of the violation, whether the violation is a repeat offense, weather, etc.
5. Compliance. If the employee/official determines that required corrections have been made, the date and method of compliance shall be noted in the file and the case shall be closed.
6. Permit Requirements. In some cases, corrective action may consist of applying for and obtaining necessary permits. Any violation not related to permitting shall be corrected prior to issuance of a permit.

XII. Resolution of Violations

It is the Township's policy to attempt to reach final, satisfactory resolutions of all violation complaints. However, the Township recognizes that not all complaints can be resolved successfully, due to factors outside the Township's control. These factors include the indigence of the violator, the lack of Township resources to assist the violators, and the number of complaints received. Where the Township determines that a violation may not be successfully resolved within the established reasonable timelines, the file will either be closed or alternative methods of enforcement pursued.

The Township Board shall review the list of unresolved violations and determine if the file(s) shall be turned over to the Grand Traverse County Sheriff's Department or legal counsel for further action through the Grand Traverse Circuit Court.

WHITEWATER TOWNSHIP
JUNK ORDINANCE

ORDINANCE # 38

Adopted: November 22, 2005
Amended: June 30. 2026

THE TOWNSHIP BOARD OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN ORDAINS:

Section 1.

For the purpose of this ordinance, the term "junk" shall mean any motor vehicle, machinery, appliance, product or merchandise, scrap metal, other scrap materials which are damaged, deteriorated, or that are in a condition which prevents their use for the purpose for which they were intended, and household trash.

Section 2. Prohibited Acts.

No person shall place, discard, or abandon junk in a place where it is visible from a highway, street, or other public way, or where it is visible to an abutting landowner from that portion of the land used on a regular basis. No person shall place, discard, or abandon junk on public property or the private property of another, regardless if visible from a highway, street, or other public way, or from adjoining land.

Section 3. Penalties.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 ($500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

Section 4. Enforcement Officers

The Grand Traverse County Sheriff, Township Ordinance Enforcement Officer, Township Supervisor, and other individuals appointed by the Township Board are hereby designated as the

Deleted: Section 3. ¶
The Grand Traverse County Sheriff and his deputies are authorized as local enforcement officers of this ordinance.¶

Deleted: 4

Deleted: A violation of this ordinance is a municipal civil infraction, subject to a maximum fine of $500.00 and court costs. Commencing 30 days after receiving notice of a violation, if not abated, each day the violation continues shall constitute a separate violation of this ordinance.¶

Deleted: 5

authorized township officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court or take any other action allowed by law.

Section 5. **Separate Court Action, Nuisance Per Se**

Nothing in this Ordinance shall prohibit the Township or any interested party from seeking such other relief as may be permitted in law or in equity regarding the existence of a nuisance. A violation of this Ordinance is deemed to be a nuisance per se.

Section 6. **Abatement by Township.**

If a Court of competent jurisdiction finds the owner or occupant of property is in violation of this Ordinance, the Court, in addition to ordering the owner or occupant to eliminate the nuisance may authorize the Township to enter the property to abate the nuisance conditions.

Section 7. **Cost Recovery; Lien.**

A. The costs incurred by the Township in abating the nuisance conditions, including reasonable attorney fees, shall be reimbursed to the Township by the owner or party in interest in whose name the property appears.

B. The owner or party in interest in whose name the property appears upon the last local tax assessment roll shall be notified by the assessor of the amount of the costs incurred by the Township in abating the nuisance conditions, including reasonable attorney fees, by first-class mail at the address shown on the records. If the owner or party in interest fails to pay the costs within thirty (30) days after mailing by the assessor of the notice of the amount of the costs, the Township shall have a lien for the costs incurred by the Township to abate the nuisance conditions. The lien for the costs shall be collected and treated in the same manner as provided for property tax liens under the state General Property Tax Act.

Section 8. **Validity**

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or

application.

Section 9. Effective Date

This ordinance shall take effect thirty (30) days after publication in a newspaper of general circulation within the township.

Effective: xxxxxxxxx

Deleted: Each of the provisions of this ordinance is severable, and if any provision is held invalid for any reason by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.¶

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Deleted: Effective: December 26, 2005

WHITEWATER TOWNSHIP ORDINANCE CERTIFICATE

State of Michigan)
Township of Whitewater) §
County of Grand Traverse)

I, the undersigned, being the duly elected and qualified clerk of the Township of Whitewater, do hereby certify that the attached Ordinance No.38 of the Whitewater Township Ordinances is a true and complete copy as adopted by the Whitewater Township Board at a regular meeting of the said Township Board held on November 22, 2005.

I do further certify that a true and complete copy of Ordinance No.38 was published on November 26, 2005 in the Traverse City Record Eagle, a newspaper of general circulation in Whitewater Township, and that Ordinance No.38 becomes effective thirty (30) days after the date of publication.

I do further certify that the members of the Township Board voted upon Ordinance No. 38 by the following vote:
For the Amendment: Hockin, Hubbell, Lake, Amos, Couturier.
Against the Amendment: None.
Absent: None.

I further certify that Ordinance No.38 was duly filed in the Whitewater Township Book of Ordinances within one week after publication thereof.

In witness whereof, I have hereunto set my hand this December 2, 2005.

Carol Hockin
Carol Hockin
Whitewater Township Clerk

2055
Whitewater Twp.

AFFIDAVIT OF PUBLICATION

LEGAL NOTICE
NOTICE OF ADOPTION
WHITEWATER TOWNSHIP
JUNK ORDINANCE #38

Public notice is herby given that Ordinance #38 Junk Ordinance was adopted by the Whitewater Township Board at a regular meeting held on November 22, 2005.

The text of the ordinance is as follows:

THE TOWNSHIP BOARD OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN ORDAINS:

Section 1.

For the purpose of this ordinance, the term "junk" shall mean any motor vehicle, machinery, appliance, product or merchandise, scrap metal, other scrap materials which are damaged, deteriorated, or that are in a condition which prevents their use for the purpose for which they were intended, and household trash.

Section 2. Prohibited Acts.

No person shall place, discard, or abandon junk in a place where it is visible from a highway, street, or other public way, or where it is visible to an abutting landowner from that portion of the land used on a regular basis. No person shall place, discard, or abandon junk on public property or the private property of another, regardless if visible from a highway, street, or other public way, or from adjoining land.

Section 3.

The Grand Traverse County Sheriff and his deputies are authorized as local enforcement officers of this ordinance.

Section 4. Penalties.

A violation of this ordinance is a municipal civil infraction, subject to a maximum fine of $500.00 and court costs. Commencing 30 days after receiving notice of a violation, if not abated, each day the violation continues shall constitute a separate violation of this ordinance.

Section 5.

Each of the provisions of this ordinance is severable, and if any provision is held invalid for any reason by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 6. Effective Date

This ordinance shall take effect thirty (30) days after publication

Carol Hockin
Whitewater Township Clerk
PO Box 159
Williamsburg, MI 49690
(231) 267-5141
November 26, 2005-1T

STATE OF MICHIGAN
County of Grand Traverse

Michael C. Nau being duly sworn deposes and says the annexed printed copy of notice was taken from the Traverse City RECORD-EAGLE, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following dates:

Nov 26, 2005

that he or she is the agent of the printers of said newspaper, and knows well the facts stated herein

Subscribed and sworn to before this 29th **day of** Nov **20** 05

E. Dolores Eikey

E. Dolores Eikey
Notary Public, State of MI
County of Grand Traverse
My Commission Expires September 14, 2011
Acting in County of Grand Traverse

WHITEWATER TOWNSHIP
JUNK ORDINANCE

ORDINANCE # 38

Adopted: November 22, 2005

THE TOWNSHIP BOARD OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN ORDAINS:

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Section 2. Prohibited Acts.

No person shall place, discard, or abandon junk in a place where it is visible from a highway, street, or other public way, or where it is visible to an abutting landowner from that portion of the land used on a regular basis. No person shall place, discard, or abandon junk on public property or the private property of another, regardless if visible from a highway, street, or other public way, or from adjoining land.

Section 3.

The Grand Traverse County Sheriff and his deputies are authorized as local enforcement officers of this ordinance.

Section 4. Penalties.

A violation of this ordinance is a municipal civil infraction, subject to a maximum fine of $500.00 and court costs. Commencing 30 days after receiving notice of a violation, if not abated, each day the violation continues shall constitute a separate violation of this ordinance.

Section 5.

Each of the provisions of this ordinance is severable, and if any provision is held invalid for any reason by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 6. Effective Date

This ordinance shall take effect thirty (30) days after publication

Effective: December 26, 2005

TO: Carol Hackin

ORDINANCE

No. 18-93

GRAND TRAVERSE COUNTY JUNK ORDINANCE

THE BOARD OF COMMISSIONERS OF GRAND TRAVERSE COUNTY ORDAINS:

PREAMBLE

The Board of Commissioners of Grand Traverse County determines that the public peace, health, safety and welfare of the citizens of Grand Traverse County is threatened by the accumulation, storage, abandonment or discarding of rubbish, garbage, demolition and construction debris, junk, junk vehicles and parts of such vehicles which can result in adverse soil and water pollution, fire hazard, injury to public health by disease and pests and to persons, blight or potential blight where such conditions are exposed to public access in Grand Traverse County and where such activity is not otherwise regulated by state law, township or village ordinances.

I. NAME.

This Ordinance shall be known and cited as the Grand Traverse County Junk Ordinance.

II. DEFINITIONS.

A. Construction and demolition debris means a type of solid waste consisting of waste building materials and rubble resulting from the construction, remodeling, repair and demolition of houses, commercial and industrial buildings and other structures which includes but is not limited to metal, concrete, glass, brick, asphalt, roofing materials, wood, tree stumps, brush from construction sites.

B. Distressed vehicle means a motor vehicle or vehicle that has been wrecked, scrapped, ruined, junked, dismantled or damaged to such an extent that an owner or an insurance company which insures the vehicle considers it uneconomical to repair the vehicle.

C. Garbage means rejected food wastes including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetable not in a properly maintained composting operation.

D. Junk is any manufactured goods, appliance, fixture, furniture, machinery, boat or personal property or any part of the preceding things or any thing, whether of value or valueless, that is demolished, discarded, completely or partially dismantled, dilapidated, wrecked, scrapped, ruined, junked or so worn, deteriorated, or in such a condition as to be generally unusable or inoperable in its existing state.

09/22/2004 WED 11:38 FAX 231 922 4658 001/005

SNIDER

E. Junk motor vehicle means a motor vehicle which is (a) distressed, (b) missing a major component part, (c) used as a storage shed or storage container and is distressed or missing a major component part or (d) is not capable of operation because of missing or broken parts and cannot be made operational by simple mechanical or electrical repairs or simple replacement of any part(s) in order to qualify for use under the Michigan Motor Vehicle Code, 1939 PA No. 300, as amended and includes wreckage, any part(s) of a motor vehicle except for the following:

1. A motor vehicle in operating condition eligible for use in accordance with the requirements of the Michigan Motor Vehicle Code, 1939 PA No. 300, as amended.
2. A motor vehicle in operating condition held as stock in trade by a regularly licensed dealer of new and used motor vehicles or equipment held as stock in trade.
3. A motor vehicle or parts thereof located in junk yards or the places of business of wreckers duly licensed by state or township authority pursuant to state law or local zoning law.
4. A motor vehicle temporarily inoperable due to minor mechanical or electrical failure but which is not a junk vehicle. The motor vehicle may remain upon the premises in the temporary inoperable condition for a period of time not to exceed an aggregate total of thirty (30) days and thereafter is subject to the provisions of this Ordinance.
5. No more than one modified vehicle in fully operating condition such as a stock modified, redesigned or reconstructed vehicle for a purpose other than that for which it was manufactured may be permitted, provided no building, garage, structure or enclosure is located upon the premises in which the vehicle could be parked or stored and also that in no event shall any such stock modified, remodeled or reconstructed vehicle be parked in the front or side yard area of any residential premises so as to be subject to public view or access.
6. The lack of a current registration plate is not, in and of itself, a basis for a determination that the motor vehicle is a junk vehicle.

F. Major component part means 1 or more of the following parts of a motor vehicle:

1. The engine.
2. The transmission.
3. The right or left front fender.
4. The hood.
5. A door allowing ingress or egress from the vehicles's passenger compartment.

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6. The front or rear bumper.
7. The right or left rear quarter panel.
8. The deck lid, tailgate, or hatchback.
9. The trunk floor pan.
10. The cargo box of a pickup.
11. The frame, or if the vehicle has a unitized body, the supporting structure or structures which serve as the frame.
12. The cab of a truck.
13. The body of a passenger vehicle.
14. The window glass.

G. Motor vehicle means every vehicle, by design, is or is intended to be self-propelled and by which any person or property is or may be carried or transported except devices exclusively moved by human power and a mobile home.

H. Public view or access means the ability by any passerby traveling upon public or private premises or one or more adjacent property owners unobstructed view or access to the premises upon which the junk, junk vehicle(s), garbage, rubbish, construction or demolition debris is present.

I. Person means an individual, sole proprietorship, partnership, association, corporation, public or private.

J. Premises means any lot or parcel of land owned or occupied by any person, vacant or improved with any dwelling, building or other structure or public lands or public right of way or easement.

K. Rubbish means miscellaneous waste material resulting from housekeeping and ordinary commercial enterprises including but not limited to ashes, cartons, cans, bottles, metal, boxes, waste papers, glass, bedding, crockery, wood, used lumber, paper, bottles, rags, tires, machinery parts but does not include discarded materials from building construction or repair or refuse from industrial or manufacturing operations.

L. Ruined means formless, useless or valueless.

M. Scrapped means having no value except as scrap metal.

N. Wrecked means the outward appearance of the specific item or vehicle is deformed, damaged or defaced.

O. Yard waste means leaves, grass clippings, vegetable or other garden debris, shrubbery or brush or tree trimmings that can be converted to compost humus. This term does not include stumps, agricultural wastes, animal waste, roots, sewage sludge or garbage.

III. Prohibited Acts.

A. No person shall cause, allow or permit the accumulation, storage, abandonment or discarding of rubbish, construction or demolition debris or garbage not including yard waste in or upon any premises.

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B. No person shall cause, allow or permit the accumulation, storage, parking, abandonment or discarding of junk or junk vehicle(s) in or upon any premises unless the junk or junk vehicle(s) or any part thereof shall be contained within a fully enclosed building or structure, a complete opaque walled enclosure or is otherwise screened by natural objects, plantings, fences or other appropriate means so that the junk or junk vehicle(s) are not exposed to public access or view.

C. No person shall repair, redesign, modify or dismantle any motor vehicle or parts thereof on any public premises or upon private premises for a period in excess of one week except such as shall be accomplished in fully enclosed buildings or walled enclosures except as authorized by state law, township or village ordinance.

IV. Nuisance.

A. Any parking, storage, accumulation, placement or operation in violation of the provisions of this ordinance are hereby declared to be a public nuisance which may be enjoined or for which the violator may be subject to a suit for damages in addition to the penalties provided herein.

V. Penalty.

Any person violating the provisions of this ordinance shall be subject, upon conviction, to a fine not to exceed $500.00 or by imprisonment in the county jail for not more than 90 days or both such fine and imprisonment plus costs of prosecution. Each day that a violation continues to exist shall constitute a separate violation of this ordinance.

VI. Preemption.

This ordinance shall not apply to any junk yards, salvage yards, auto repair facilities, auto body or paint shops, recycling centers, contractor yards operating within Grand Traverse County which are licensed or operating within a properly zoned district or by a license or permit authorized by state law, township or village ordinance. This ordinance shall be in addition to and not in conflict with all other laws and ordinances.

VII. Saving Clause.

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section, or provision is declared void or unenforceable for any reason by a court of competent jurisdiction, the remaining portions of this ordinance shall remain in force.

VIII. Effective Date.

This ordinance shall take effect 30 days after publication and upon being signed by the County Clerk.

IX. Repeal.

All county ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are repealed. The previous Grand

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Traverse County Junk and Junk Vehicle Ordinance adopted by Grand Traverse County on June 27, 1972 is repealed upon the effective date of this ordinance and except that any prosecution commenced before the date of repeal of the prior ordinance shall continue with the same force and effect as if the ordinance had not been repealed.

Dated: April 28, 1993

Chairman
Board of Commissioners
Grand Traverse County

I, Virginia Watson, Clerk of the Board of Commissioners, certify that the foregoing Ordinance was introduced and adopted at a session of the Board convened in the City of Traverse City on April 28, 1993 by a majority vote of the members present.

Effective Date: June 5, 1993

Virginia Watson
Clerk
Board of Commissioners
Grand Traverse County

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General Ordinance 63 – Parking of Vehicles
Amendment 1

Adopted: November 15, 2022
Amended 06.30.2026
~~**Effective: January 10, 2023**~~
Effective: xxxxxxxxxxx

SECTION 4. ENFORCEMENT AND PENALTIES

A. Enforcement: ~~This Ordinance may be enforced by any individual authorized by the Township Board to enforce this Ordinance including those authorized to issue civil infraction citations under the Township's Civil Infraction Ordinance such as the Township Code Enforcement Officer~~. Grand Traverse County Sheriff's Department provides enforcement. The Township Ordinance Enforcement Officer, Township Supervisor, and other individuals appointed by the Township Board are hereby designated as authorized township officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court or take any other action allowed by law. ~~The Ordinance may also be enforced by a local law enforcement agency that provides law enforcement services to the Township including the Grand Traverse County Sheriff's Department.~~

B. Penalties: Any person ~~or entity~~ who violates the provisions of this Ordinance shall be deemed responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 ($500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation. ~~and subject to a civil penalty of $100.00 for each violation of this Ordinance, as well as the Township's fees and costs in enforcing the Ordinance as permitted by law. Each day that a violation continues to exist shall be considered a separate violation.~~

This Section shall not be construed as precluding the Township from enforcing this Ordinance in any other manner authorized by law, including without limitation, the commencement of a civil action for injunctive or other relief.

WHITEWATER TOWNSHIP ORDINANCE CERTIFICATE

State of Michigan)
Township of Whitewater) §
County of Grand Traverse)

I, the undersigned, being the duly elected and qualified clerk of the Township of Whitewater, do hereby certify that the attached Ordinance No. 63 of the Whitewater Township Ordinances is a true and complete copy as adopted by the Whitewater Township Board on November 15, 2022.

I do further certify that a summary of Ordinance No. 63 was published on December 11, 2022, in the Traverse City Record-Eagle, a newspaper of general circulation in Whitewater Township, and that Ordinance No. 63 becomes effective January 10, 2023.

I do further certify that the members of the Township Board voted upon Ordinance No. 63 by the following vote:

For the Ordinance: Popp, Goss, Benak, Glenn
Against the Ordinance: None
Absent: Vollmuth

I further certify that Ordinance No. 63 was duly filed in the Whitewater Township Book of Ordinances within one week after publication thereof.

In witness whereof, I have hereunto set my hand this 15th day of December, 2022.

Cheryl A. Goss
Whitewater Township Clerk

Whitewater Twp:
2055

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN
County of Grand Traverse

LEGAL NOTICE
WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
PARKING ORDINANCE
NOTICE OF ADOPTION

At a meeting of the Township Board of Whitewater Township, Grand Traverse County, Michigan, held at the Whitewater Township Hall on November 15, 2022, at 9:00 a.m., the Township Board adopted Ordinance No. 63, also known as the Whitewater Township Parking Ordinance, to regulate the parking of vehicles in Whitewater Township to promote the general health, safety, and welfare of Township residents and visitors. Copies of the complete text of the Ordinance are available at the Whitewater Township Hall, 5777 Vinton Road, P.O. Box 159, Williamsburg, MI 49690 during normal business hours.

The Ordinance has the following sections and catch lines: Section 1: Purpose and Title; Section 2: Definitions; Section 3: Parking Regulations; Section 4: Enforcement and Penalties; Section 5: Severability; Section 6: Effective Date, which is thirty days after publication of this notice; and Section 7: Repeal.

Published by Order of the Township Board
Whitewater Township, Grand Traverse County, Michigan
...ryl A. Goss, Township Clerk
... 231-267-5141 ext 24
Email: clerk@whitewatertownship.org
5777 Vinton Road, P.O. Box 159
Williamsburg, MI 49690

Publication Date: December 11, 2022

December 11, 2022-1T 595064

Paul Heidbreder being duly sworn deposes and says the annexed printed copy of notice was taken from the Traverse City RECORD EAGLE, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following dates:

12/11/2022

that he or she is the agent of the printers of said newspaper, and knows well the facts stated herein

Paul J. Heidbreder

Subscribed and sworn to before
this 12th of December, 2022 .

Debra Parent
Notary Public, State of MI
County of Grand Traverse
04/27/2029
Acting in County of Grand Traverse

WHITEWATER TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

PARKING ORDINANCE

Ordinance No. 63
Adopted: November 15, 2022
Effective: January 10, 2023

At a duly called meeting of the Township Board of Whitewater Township, Grand Traverse County, Michigan, held at the Whitewater Township Hall on November 15, 2022 at 9:00 a.m., Board Member Popp moved to adopt the following Ordinance, which motion was supported by Board Member Goss:

An Ordinance adopted under 1945 PA 246, as amended, to regulate the parking of vehicles in Whitewater Township to promote the general health, safety, and welfare of Township residents and visitors.

THE TOWNSHIP OF WHITEWATER, GRAND TRAVERSE COUNTY, MICHIGAN, ORDAINS:

SECTION 1. PURPOSE AND TITLE

The Whitewater Township Board finds and declares as follows:

A. A township may enact ordinances regulating the public health, safety, and general welfare of persons and property including ordinances that regulate the parking of vehicles on streets, roads, or highways. See MCL 41.181(1) and (2); see also MCL 257.606(1)(a) (township authorized to regulate the standing or parking of vehicles).

B. Whitewater Township adopts this ordinance, which shall be referred to the Whitewater Township Parking Ordinance ("Parking Ordinance"), to among other things, regulate the manner of vehicle parking in the Township to ensure vehicles are parked in an organized manner to allow safe vehicular circulation, to avoid the parking of vehicles in front of driveways, and to also provide organized parking to access water resources in the Township.

SECTION 2. DEFINITIONS

The terms below as used within this Ordinance shall have the following meanings regardless of capitalization. All other words throughout this Ordinance shall be interpreted based on their plain and ordinary meaning in the context of their use.

A. **Parking:** The act of stopping a vehicle to either idle, stand, or otherwise wait in a fixed location regardless of whether the vehicle is occupied or not.

B. **Roadway:** Roadways include any street, road, or highway within the Township.

C. **Vehicle:** Any motorized vehicle and any associated trailers including, but not limited to, automobiles, trucks, semi-trucks, off-road vehicles, mopeds, and recreational vehicles. For purposes of this Ordinance, the definition of vehicle shall exclude any vehicles used for

emergency services (police protection, fire protection, or emergency medical services) that are parked while responding to an emergency.

SECTION 3. PARKING REGULATIONS

The parking of all vehicles in the Township shall be subject to the following regulations.

A. **Driveway Access:** No vehicle shall be parked on a roadway in a manner that blocks a public or private driveway of any residence, business, or other type of property.

B. **One Side Roadway Parking:** The Township Board shall be authorized to limit vehicle parking on defined roadways within the Township to only one side of an individual roadway. The Township Board shall specify the roadways where vehicles may only be parked on one side of the roadway by resolution, which: (1) specifies the roadway and where the one side parking regulation shall be enforced; and (2) notes the permissible side of the roadway for parking. Consistent with MCL 257.606(4) all roadways with one side parking regulations shall have signage giving notice of the one side parking regulation that is sufficiently legible as to be seen by an ordinarily observant person.

SECTION 4. ENFORCEMENT AND PENALTIES

A. Enforcement: This Ordinance may be enforced by any individual authorized by the Township Board to enforce this Ordinance including those authorized to issue civil infraction citations under the Township's Civil Infraction Ordinance such as the Township Code Enforcement Officer. The Ordinance may also be enforced by a local law enforcement agency that provides law enforcement services to the Township including the Grand Traverse County Sheriff's Department.

B. Penalties: Any person or entity who violates the provisions of this Ordinance shall be deemed responsible for a municipal civil infraction and subject to a civil penalty of $100.00 for each violation of this Ordinance, as well as the Township's fees and costs in enforcing the Ordinance as permitted by law. Each day that a violation continues to exist shall be considered a separate violation. This Section shall not be construed as precluding the Township from enforcing this Ordinance in any other manner authorized by law, including without limitation, the commencement of a civil action for injunctive or other relief.

SECTION 5. SEVERABILITY

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect 30 days after notice of its adoption is published in a local newspaper.

SECTION 7. REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

ROLL CALL VOTE

YEAS: POPP, GOSS, BENAK, GLENN

NAYS: NONE

ABSENT/ABSTAIN: VOLLMUTH (absent)

ORDINANCE DECLARED ADOPTED

Ron Popp, Whitewater Township Supervisor

12.19.2022
Date

CERTIFICATION

I, Cheryl A. Goss, Clerk of Whitewater Township, do hereby certify that the foregoing is a true and accurate copy of Ordinance No. 63 adopted by the Whitewater Township Board on November 15, 2022. A summary of the Ordinance was duly published in the Traverse City Record-Eagle, a newspaper that circulates within Whitewater Township, on December 11, 2022. Within seven days after such publication, I recorded the Ordinance in a book of Ordinances kept by me for that purpose, including the date of passage of the Ordinance, the names of the members of the Township Board voting, and how each member voted.

Attested:

Cheryl A. Goss, Whitewater Township Clerk