

**STATE OF MICHIGAN
COUNTY OF LIVINGSTON
TOWNSHIP OF HAMBURG
ORDINANCE NO. 104 A**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CHAPTER 14, ENVIRONMENTAL, TO ADD ARTICLE V, FERTILIZERS, TO LIMIT THE APPLICATION OF ANY FERTILIZERS IN THE TOWNSHIP.

THE TOWNSHIP OF HAMBURG TOWNSHIP ORDAINS:

Section 1 of Ordinance

The Township of Hamburg Township Code of Ordinances, Chapter 14, Environmental, is hereby amended to add Article V, Fertilizers, Section 14, to read as follows:

ARTICLE V. FERTILIZERS

Sec. 14-100. Any Fertilizer Application; Prohibitions

1. Application of any fertilizers shall not be permitted prior to May 1 and after November 15 to limit adverse impacts to wetlands and watercourses due to nutrient loading and accelerated cultural eutrophication resulting from storm water discharge. No fertilizer application of any type is permitted within 50 feet of the high-water level of a body of water or a river. Hamburg Township recommends a natural vegetative buffer strip with native grasses, wildflowers, and shrubs instead of turf grass.
2. To limit adverse impacts to wetlands and watercourses due to nutrient loading and accelerated cultural eutrophication resulting from stormwater discharge, no fertilizers is permitted within any wetland or watercourse as defined in Chapter 14 of this Code, within any environmental water body feature setback area as defined in Chapter 36 of this Code, or within fifty feet (50') of a wetland or watercourse as defined in Chapter 36 Section 36-186: footnote (4) of this Code.

Section 2 of Ordinance:
Civil infraction; penalty

Sec. 14-101. Violations and Penalty

(a) Any person who shall violate any of the terms of this article shall be responsible for a municipal civil infraction, as outlined in Chapter 1 General Provisions: Article II Municipal Civil Infractions: Section 1-45 Sanctions for violations. The fines and penalties in Section 1-45 are incorporated herein by reference.

(b) For purposes or assessing fines and penalties only, a violation under this section shall be classified as a Class C municipal civil infraction per offence.

Section 14-102.

Section 3 of Ordinance

This Ordinance shall, upon its effective date, specifically repeal all provisions contained within Hamburg Township Code of Ordinances-Environmental found in Chapter 14, Article V - Fertilizers (amending the ordinance historically reference as No. 104). Should any section, subdivision, sentence, clause, or phrase of this Ordinance be declared by the Courts to be invalid, it shall not affect the validity of the remainder of the Ordinance or any part other than the part invalidated.

Section 14-103.

Section 4 of Ordinance

This Ordinance shall take effect 30 days after publication.

CERTIFICATION

STATE OF MICHIGAN)
)SS
COUNTY OF Livingston)

I, Mike Dolan, the duly qualified Clerk for the Township of Hamburg Township, Livingston County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Ordinance adopted by the Township Board for the at a meeting held on the. The original is on file in the Office of the Township Clerk.

By:
Mike Dolan
Township Clerk

INTRODUCED: 2-6-2024
ADOPTED: 2-6-2024
PUBLISHED: 2-28-2024
EFFECTIVE: 3-29-2024