

# HOUSE BILL No. 4686

April 16, 1991, Introduced by Reps. Joe Young, Jr. and Joe Young, Sr. and referred to the Committee on Housing and Urban Affairs.

A bill to amend the title of Act No. 106 of the Public Acts of 1963, entitled

"An act to define, control and prohibit the littering of public and private property and waters; to prescribe penalties for violation of this act; and to repeal certain acts and parts of acts,"

as amended, being sections 752.901 to 752.906 of the Michigan Compiled Laws; and to add section 1b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1 Section 1. The title of Act No. 106 of the Public Acts of  
2 1963, as amended, being sections 752.901 to 752.906 of the  
3 Michigan Compiled Laws, is amended and section 1b is added to  
4 read as follows:

5 TITLE

6 An act to define, control, and prohibit the littering of  
7 public and private property and waters; to prescribe penalties

1 ~~for violation of this act~~ AND PROVIDE REMEDIES; and to repeal  
2 certain acts and parts of acts.

3 SEC. 1B. (1) AN OWNER OR OCCUPANT OF RESIDENTIAL PROPERTY  
4 SHALL NOT KNOWINGLY ACCUMULATE, OR ALLOW TO ACCUMULATE, JUNK OUT-  
5 DOORS ON RESIDENTIAL PROPERTY.

6 (2) A PERSON MAY BRING A CIVIL ACTION AGAINST AN OWNER OR  
7 OCCUPANT OF RESIDENTIAL PROPERTY VIOLATING SUBSECTION (1) FOR  
8 DAMAGES OR EQUITABLE RELIEF, OR BOTH. A PERSON MAY SEEK A COURT  
9 ORDER TO COMPEL AN OWNER OR OCCUPANT TO PROPERLY REMOVE JUNK  
10 ACCUMULATED IN VIOLATION OF SUBSECTION (1).

11 (3) AN OWNER OR OCCUPANT WHO FAILS TO COMPLY WITH A COURT  
12 ORDER ISSUED UNDER THIS SECTION IS SUBJECT TO THE CONTEMPT POWERS  
13 OF THE COURT AND IS PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN  
14 6 MONTHS, OR BY A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

15 (4) THE COURT MAY AWARD A PLAINTIFF WHO PREVAILS IN AN  
16 ACTION FILED UNDER THIS SECTION REASONABLE ATTORNEY FEES AND  
17 COSTS.

18 (5) AS USED IN THIS SECTION, "JUNK" MEANS 1 OR MORE OF THE  
19 FOLLOWING ITEMS IF DAMAGED, DETERIORATED, OR IN A CONDITION SUCH  
20 THAT THE ITEM CANNOT BE USED FOR THE PURPOSE FOR WHICH THE ITEM  
21 WAS MANUFACTURED:

22 (A) A MOTOR VEHICLE.

23 (B) MACHINERY.

24 (C) AN APPLIANCE.

25 (D) FURNITURE.