



HOUSE BILL No. 4213

February 11, 1993, Introduced by Reps. Joe Young, Jr. and Joe Young, Sr. and referred to the Committee on State 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:

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

TITLE

An act to define, control, and prohibit the littering of 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, WASTE OR
5 SCRAP OUTDOORS 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 WASTE OR
10 SCRAP 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:

19 (A) "SCRAP" MEANS AN ITEM OTHER THAN WASTE THAT IS DAMAGED,
20 DETERIORATED, OR IN A CONDITION SUCH THAT THE ITEM CANNOT BE USED
21 FOR THE PURPOSE FOR WHICH THE ITEM WAS MANUFACTURED AND MAY
22 INCLUDE, BUT IS NOT LIMITED TO:

23 (i) A MOTOR VEHICLE.

24 (ii) MACHINERY.

25 (iii) AN APPLIANCE.

26 (iv) FURNITURE.

1 (B) "WASTE" MEANS TRASH OR GARBAGE DESTINED FOR DISPOSAL OR
2 INCINERATION.