



SENATE BILL No. 1129

September 10, 1996, Introduced by Senator YOUNG and referred to the Committee on Local, Urban and State Affairs.

A bill to amend section 8901 of Act No. 451 of the Public Acts of 1994, entitled as amended "Natural resources and environmental protection act," being section 324.8901 of the Michigan Compiled Laws; and to add section 8902a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 8901 of Act No. 451 of the Public Acts
2 of 1994, being section 324.8901 of the Michigan Compiled Laws, is
3 amended and section 8902a is added to read as follows:

4 Sec. 8901. As used in this part:

5 (a) "Litter" means all rubbish, refuse, SCRAP, waste materi-
6 al, garbage, offal, paper, glass, cans, bottles, trash, debris,
7 or other foreign substances.

8 (b) "Public or private property or water" includes, but is
9 not limited to, any of the following:

1 (i) The right-of-way of a road or highway, a body of water
2 or watercourse, or the shore or beach of the body of water or
3 watercourse, including the ice above the water.

4 (ii) A park, playground, building, refuge, or conservation
5 or recreation area.

6 (iii) Residential or farm properties or timberlands.

7 (C) "SCRAP" MEANS AN ITEM THAT IS DAMAGED, DETERIORATED, OR
8 IN A CONDITION SUCH THAT THE ITEM CANNOT BE USED FOR THE PURPOSE
9 FOR WHICH THE ITEM WAS MANUFACTURED AND MAY INCLUDE, BUT IS NOT
10 LIMITED TO, ANY OF THE FOLLOWING:

11 (i) A MOTOR VEHICLE.

12 (ii) MACHINERY.

13 (iii) AN APPLIANCE.

14 (iv) FURNITURE.

15 (D) ~~(c)~~ "Vehicle" means every motor vehicle registered
16 under the Michigan vehicle code, Act No. 300 of the Public Acts
17 of 1949, being sections 257.1 to 257.923 of the Michigan Compiled
18 Laws.

19 (E) ~~(d)~~ "Vessel" means a vessel registered under ~~the~~
20 ~~marine safety act, Act No. 303 of the Public Acts of 1967, being~~
21 ~~sections 281.1001 to 281.1199 of the Michigan Compiled Laws~~ PART
22 801.

23 SEC. 8902A. (1) AN OWNER OR OCCUPANT OF RESIDENTIAL PROP-
24 ERTY SHALL NOT KNOWINGLY ACCUMULATE, OR ALLOW TO ACCUMULATE,
25 LITTER ON RESIDENTIAL PROPERTY.

26 (2) A PERSON MAY BRING A CIVIL ACTION AGAINST AN OWNER OR
27 OCCUPANT OF RESIDENTIAL PROPERTY WHO VIOLATES SUBSECTION (1) FOR

1 DAMAGES OR EQUITABLE RELIEF, OR BOTH. A PERSON MAY SEEK A COURT
2 ORDER TO COMPEL AN OWNER OR OCCUPANT TO PROPERLY REMOVE LITTER
3 ACCUMULATED IN VIOLATION OF SUBSECTION (1).

4 (3) AN OWNER OR OCCUPANT WHO FAILS TO COMPLY WITH A COURT
5 ORDER ISSUED UNDER THIS SECTION IS SUBJECT TO THE CONTEMPT POWERS
6 OF THE COURT AND MAY BE PUNISHED BY IMPRISONMENT FOR NOT MORE
7 THAN 6 MONTHS, OR BY A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

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