

CITY OF AUBURN HILLS

ORDINANCE NO. 21-925

AN ORDINANCE TO AMEND ARTICLE II – STREETS, OF CHAPTER 62 – STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES, OF THE AUBURN HILLS CITY CODE, AS AMENDED, TO ADD A NEW SECTION 62-48 – DEPOSITS OF MUD, DIRT AND OTHER ITEMS ON PUBLIC STREETS, PUBLIC ALLEYS, PUBLIC SIDEWALKS AND PUBLIC RIGHTS OF WAY, TO PROHIBIT THE DEPOSIT OF DIRT, MUD AND OTHER ITEMS ON ANY PUBLIC STREET, PUBLIC ALLEY, PUBLIC SIDEWALK OR OTHER PUBLIC RIGHT OF WAY

THE CITY OF AUBURN HILLS ORDAINS:

SECTION 1.

Article II – Streets, of Chapter 62 – Streets, Sidewalks, and Other Public Places, of the Auburn Hills City Code, as amended, is hereby amended to add a new Section 62-48 – Deposits of mud, dirt and other items on public streets, public alleys, public sidewalks and public rights of way, to read as follows:

Sec. 62-48. – Deposits of mud, dirt and other items on public streets, public alleys, public sidewalks and public rights of way.

- (a) No person and/or motor vehicle they are operating and/or trailer they are hauling shall cause or allow any dirt, fill, mud, rocks, gravel, concrete, asphalt, vegetation, grease, oil, debris or other foreign material or substance to be spilled, dumped, deposited, discharged, spread or tracked onto any public street, public alley, public sidewalk or other public right of way in the City of Auburn Hills.
- (b) Any person or entity who owns, leases or occupies property in connection with which dirt, fill, mud, rocks, gravel, concrete, asphalt, vegetation, grease, oil, debris or other foreign material or substance is hauled to or removed from, or caused or allowed to be spilled, dumped, deposited, discharged, spread or tracked onto any public street, public alley, public sidewalk or other public right of way in the City of Auburn Hills shall be subject to any of the penalties authorized in Section 62-48.
- (c) A violation of this Section 62-48 shall be a municipal civil infraction punishable by a civil fine not to exceed \$200 and the cost of prosecution. In addition, any person or entity that violates this Section 62-48 by causing or allowing any dirt, fill, mud, rocks, gravel, concrete, asphalt, vegetation, grease, oil, debris or other foreign material or substance to be spilled, dumped, deposited, discharged, spread or tracked onto any public street, public alley, public sidewalk or other public right of way in the City of Auburn Hills may be held

responsible for paying to the City of Auburn Hills the cost of cleaning the unlawfully spilled, dumped, deposited, discharged, spread or tracked dirt, fill, mud, rocks, gravel, concrete, asphalt, vegetation, grease, oil, debris or other foreign material or substance from the public street, public alley, public sidewalk or other public right of way in the City of Auburn Hills.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

SECTION 5. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect upon publication in the manner prescribed by the Charter of the City of Auburn Hills.

SECTION 6. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Auburn Hills at a meeting thereof duly called and held on the 17th day of May, 2021, and ordered to be given publication in the manner prescribed by the Charter of the City of Auburn Hills.

AYES:	7
NAYES:	None
ABSTENTIONS:	None

[illegible]

I, the undersigned, the duly qualified Clerk of the City of Auburn Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 21-925 adopted by the Auburn Hills City Council on the 17th day of May, 2021, the original of which is in my office.

Laura M. Pierce
City Clerk