

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

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's Ordinance requires a natural vegetative buffer strip with native grasses, wildflowers, and shrubs instead of turf grass. Chapter 36 Zoning: Article VIII Environmental Provisions: Section 36-292 (f) (3) states Water Front Residential (WFR) district requires a 50 ft buffer, Natural River (NR) district requires a 100 ft buffer, and all other districts require a 75 ft buffer which is not mowed.
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 3 of Ordinance**

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 4 of Ordinance**

This Ordinance shall take effect immediately upon publication.

### **CERTIFICATION**

STATE OF MICHIGAN     )  
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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:  
ADOPTED:  
EFFECTIVE  
PUBLISHED: