



Charter Township of Lansing

PLANNING & COMMUNITY DEVELOPMENT

3209 W. Michigan Avenue
Lansing, MI 48917

Phone (517) 999-0307
Fax (517) 485-3276

Affidavit for Part 91 PERMIT WAIVER

SESC-W- -
Waiver Number

Site Address:

Parcel No:

Project Description:

I, _____, hereby swear and affirm that the earth change associated with the project as named above, proposed on my property located above, is either located more than 500' from any waters of the State, or will disturb less than 225 square feet and no sediment will leave my property or impact any lake or stream.

ENFORCEMENT ACKNOWLEDGEMENT

A. FAILURE TO COMPLY WITH MICHIGAN'S SOIL EROSION AND SEDIMENTATION CONTROL PART 91 OF PUBLIC ACT 451 OF 1994, AS AMENDED ("PART 91") IS A CIVIL INFRACTION AND WILL RESULT IN ONE OR MORE OF THE FOLLOWING: (1) A FINE UP TO \$2,500; (2) INSTALLATION OF SOIL EROSION AND SEDIMENTATION CONTROLS BY LANSING TOWNSHIP WITH ALL COSTS RELATED TO THE ADMINISTRATION, LEGAL COSTS, FEES AND IMPLEMENTATION OF CONTROLS TO BE ASSESSED AGAINST THE LANDOWNER WHICH MAY BECOME A LIEN ON THE PROPERTY IF NOT PAID; (3) A TEMPORARY RESTRAINING ORDER WILL BE FILED IN COURT TO RESTRAIN ANY AND ALL FURTHER CONSTRUCTION AT THE PROPERTY SITE, AND TO RECOVER DAMAGES TO THE NATURAL RESOURCES OF THE STATE; AND (4) AND ANY OTHER LEGAL ACTION NECESSARY TO ENSURE COMPLIANCE WITH MICHIGAN LAW.

B. A PERSON WHO KNOWINGLY VIOLATES PART 91 MAY BE ORDERED TO PAY A FINE OF UP TO \$10,000 FOR EACH DAY OF VIOLATION.

C. A PERSON WHO KNOWINGLY VIOLATES PART 91 AFTER 5 DAYS AFTER THE MAILED DATE OF THE NOTICE OF VIOLATION IS RESPONSIBLE FOR A PAYMENT OF A CIVIL FINE OF NOT LESS THAN \$2,500.00 OR MORE THAN \$25,000.00 FOR EACH DAY OF VIOLATION. MCL 324.9121(1); 9121(2); AND 9121(3).

D. BY SIGNING THIS AFFIDAVIT, THE LANDOWNER HEREBY CONSENTS TO THE FOLLOWING: (1) THE AUTHORITY OF THE MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, and ENERGY, OR LANSING TOWNSHIP TO ENTER UPON THE PROPERTY AT ALL REASONABLE TIMES FOR THE PURPOSE OF INSPECTING AND INVESTIGATING CONDITIONS OR PRACTICES THAT MAY BE IN VIOLATION OF PART 91; (2) INSTALLATION OF SOIL EROSION AND SEDIMENTATION CONTROLS BY LANSING TOWNSHIP WITH ALL COSTS RELATED TO THE ADMINISTRATION, LEGAL COSTS, FEES AND IMPLEMENTATION OF CONTROLS TO BE ASSESSED AGAINST THE LANDOWNER WHICH MAY BECOME A LIEN ON THE PROPERTY.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND, AND ACCEPT THE ENFORCEMENT ACKNOWLEDGEMENT. ALSO, I UNDERSTAND THAT I AM STILL REQUIRED TO INSTALL AND MAINTAIN SOIL EROSION AND SEDIMENTATION CONTROLS PER STANDARD SOIL EROSION DETAILS AS PER PART 91 OF ACT 451 AS AMENDED. LANDOWNER'S INITIALS OR AUTHORIZED AGENT'S* INITIALS: _____

Landowner's / Authorized Agent's* Signature

Date

Lansing Township Authorized Agent

Date

**Authorized Agent must have a written statement from the landowner authorizing him/her to sign in the landowner's name.*