

Ordinance # 061960601
LAKETON TOWNSHIP ANTI-BLIGHT ORDINANCE

Section 1 Enabling Authority

This ordinance is adopted in accordance with and pursuant to Act No. 344 of the Public Acts of Michigan of 1945, as amended.

Section 2 Purpose

It is hereby found and declared that certain areas of the Township have or may become blighted, with the consequent impairment of taxable values upon which, in large part, township revenues depend; that such blighted areas are detrimental to the health, safety and general welfare of the citizens and to the economic welfare of the Township; further, that the purpose of this ordinance is to rehabilitate such areas by eliminating blight and blighting factors within such areas for the protection of the health, safety and general welfare of the Township, and to preserve existing values of other properties within or adjacent to such areas; and the necessity and the public interest for provisions set forth in this ordinance is hereby declared to be a public purpose.

Section 3 Causes, factors enumerated

Unless allowed by separate law or ordinance, no person shall maintain or permit to be maintained any of the following causes of blight or blighting factors upon any property in the Township owned, leased, rented or occupied by such person.

- A. In any area, the storage upon any property of junk automobiles, except in a completely enclosed building or within Township approved screened areas. For the purpose of this article the term "junk automobiles" shall include any motor vehicle which is not licensed for use upon the highways of the state for a period in excess of thirty (30) days and shall also include whether so licensed or not any motor vehicle which is inoperative for any reason for any period in excess of thirty (30) days.
- B. In any area, the storage upon any property of unlicensed recreational equipment, except in a completely enclosed building or Township approved screened area. For the purpose of this subsection, the term "recreational equipment" shall include any travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, snowmobiles, horse trailers, dune buggies and other similar equipment.
- C. In any area, the outdoor storage upon any property of building materials unless there is in force a valid building permit issued by the Township for construction upon the property and the materials are intended for use in connection with such construction. Building materials shall include but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in constructing any structure.

- D. In any area, the existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the Township, and unless such construction is completed within a reasonable time.
- E. In any area, the outdoor storage upon any property of miscellaneous equipment. Miscellaneous equipment shall include, but not be limited to, lawn equipment, tractors, and equipment attachments like plows.
- F. In any area, the outdoor storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed thirty (30) days. The terms "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances, remnants of wood, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.
- G. In any area the existence of any structure or part of a structure which because of fire, wind or other natural disaster or physical deterioration is no longer habitable as a dwelling nor useful for any other purpose for which it may have been intended.
- H. In any area the accumulation of yard waste including leaves, brush, unsplit or unstacked firewood, with the exception of a properly maintained compost pile that is contained to an area that does not exceed 100 sq ft, is in the rear yard, is at least 5 feet from a property line and does not cause noxious odors.
- I. In any area the use of semi-trailers or other vehicles for storage.
- J. On any property located in a subdivision, site condominium, commercially zoned district or on any property less than one half acre in size the accumulation of grass, leaves and noxious weeds. Grass, leaves and noxious weeds shall include all plants listed in Public Act 359 of 1941 (MCL247.62), as amended, as well as all common grasses more than ten (10) inches in height, dead bushes, dead trees, leaves that have accumulated for more than one season, tree stumps and bushes and trees infested with dangerous insects or infectious diseases. The following exceptions shall apply: natural buffers to neighboring properties or roadways, natural forms of landscaping the does not include noxious weeds, and undeveloped vacant parcels that have not been maintained with an established yard. A maintained or established yard shall mean parcels that have been cleared of all or most trees and have been kept free of accumulated leaves and the grass kept mowed.

Section 4 Enforcement

1. The owner and the occupant of any property upon which any of the causes of blight or blighting factors as set forth in this article are found to exist, shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten (10) days after service of the notice. Notice shall be mailed by first class mail to the occupant and the owner, if possible, and a copy of the notice posted in a conspicuous location on the property in question. Once the notice described in this subsection has been given, it shall be deemed sufficient notice for as long as the causes of blight described in the notice remain uncorrected. Additional time to

remove the causes of blight or blighting factors may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

2. Failure to comply with such notice by the owner and/or occupant by the removal of the causes of blight or blighting factors within the time allowed shall be a municipal civil infraction. Continuation of a blighted property shall constitute a nuisance per se.
3. If the owner or occupant fails to remove or eliminate the causes of blight or blighting factors within the time stated in the notice, the enforcing officer is hereby authorized to enter upon such private premises and abate the nuisance by removing the cause and clearing the private premises. The cost of abating such nuisance, plus an additional 25 percent for overhead and other expenses, shall constitute a lien against the private premises and shall be charged to the occupant thereof or to the owner of unoccupied premises, as the case may be. If not paid within 60 days after the bill for such charges has been rendered such charge may be added to the tax roll as an assessment and collected as a special assessment against the premises in the manner provided by law or in any other manner authorized for the collection of debts owed to the township.

Section 5 Effective Date; Conflicts

This Ordinance shall become effective immediately after a copy of this Ordinance (or summary thereof) is published in the newspaper. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The above Ordinance was offered for adoption by Township Board Member Zaagman and was seconded by Township Board Member Kane, the vote being as follows:

YEAS: Arter, Archer, Zaagman, Achterhoff, Kane

NAYS: None

ORDINANCE DECLARED ADOPTED.

I, Christina Achterhoff, the duly elected, qualified and acting clerk for Laketon Township, do hereby certify that the foregoing ordinance was duly adopted at a regular meeting of the Laketon Township Board on August 15, 2013.

Christina Achterhoff, Clerk

Publish: August 25, 2013
Effective: August 25, 2013