

TOWNSHIP OF ALMONT

COUNTY OF LAPEER

ORDINANCE NO. 64

BLIGHT ORDINANCE

Title

An Ordinance to secure the public health, safety and general welfare of the residents and property owners of Almont Township, Lapeer County, Michigan, by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the Township and to provide the penalties for the violation thereof.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ALMONT, LAPEER COUNTY, MICHIGAN ORDAINS:

Section 1. Short Title.

This Ordinance shall be known and cited as the Almont Township Blight Ordinance.

Section 2. Enabling Authority.

This Ordinance is adopted in accordance with and pursuant to the provisions of Act No. 246 of the Public Acts of Michigan of 1945 (MCL 41.181 et seq.), as amended, and Act No. 344 of the Public Acts of Michigan of 1945 (MCL125.71 et seq.), as amended.

Section 3. Definitions

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory Vehicle – Any vehicle designed to be towed behind a motor vehicle; for the purposes of this Ordinance, such shall include semi-trailers.

Building Materials – Includes, without limitation, lumber, brick, 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.

Junk – Includes, without limitation, cast-off parts of machinery or motor vehicles, tree stumps, uncut and unstacked firewood, broken and unusable furniture, dilapidated fences (cast-off or in-place), stoves, refrigerators and other appliances, remnants of wood, metal or other cast-off material of any kind, whether or not such items could be put to any reasonable use.

Junk Boat, Automobile or Motor Vehicle – Includes any boat, automobile or motor vehicle which is not licensed for use upon the waters or highways of the state and shall also include, whether licensed or not, any boat or motor vehicle which is inoperative.

Ordinance Enforcement Officer – The person designated by the Township Board to administer and enforce this Ordinance.

Trash and Rubbish – Includes food waste matter, household refuse as well as any and all forms of debris or refuse not otherwise classified in these definitions.

Section 4. Unlawful Conduct and Conditions.

- A. It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable conditions, unsafe, unsanitary and undesirable neighborhoods, and are hereby declared unlawful. No person shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in the township owned, leased, rented or occupied by such person.
1. The storage or accumulation of junk or junk boats, junk automobiles or junk motor vehicles, junk accessory vehicles or any part thereof except in a completely enclosed building.
 2. The storage or accumulation of building materials unless there is in force a valid building permit issued by the Township for construction upon the property and those materials are intended for use in connection with such construction, or except where such building materials are part of the stock in trade or business located on the property, in which case those materials must be stored in such a manner as not to create a public or private nuisance.
 3. The outdoor storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed 15 days. Dumpsters and other large garbage containers shall not be stored

within twenty-five (25) feet of a property line. All dumpsters and containers shall be kept covered and shall be screened from view unless the property owner has a valid building or demolition permit issued by the Township.

4. 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.
 5. The existence of weeds and/or grass in excess of 7 inches in height, located on property containing a dwelling or vacant land within an approved subdivision or site condominium.
 6. The existence of any vacant dwelling, garage or other outbuilding not kept securely locked, with windows kept glazed or neatly boarded up and otherwise secured to prevent entrance thereof by vandals or animals.
 7. The existence of any structure which, because of wind or other natural disaster, or physical deterioration is no longer habitable as a dwelling, nor useful for any purpose for which it may have been intended.
 8. The burning of any garbage, refuse, hides, feathers or other organic or animal matter within the Township.
- B. All persons who violate any of the provisions of this Ordinance, whether as owner, occupant, lessee, agent, servant or employee shall, except as herein otherwise provided, be equally liable as principals. Each day a violation continues shall be deemed a separate offense.

Section 5. Enforcement.

This Ordinance shall be enforced by the Ordinance Enforcement Officer designated by the Township Board. The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 4 is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 10 days after service of the notice upon him/her. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the Ordinance Enforcement Officer where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress. Failure to comply with such notice by the owner and/or occupant within the time allowed shall constitute a violation of this Ordinance.

Section 6. Penalties.

Any person, firm or corporation found violating the provisions of this Ordinance, shall be responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions for each infraction. Repeat offenses of this Ordinance shall be subject to increased fines as provided for in the Almont Township Civil Infraction Ordinance, being Ordinance No. 48, as amended.

Section 7. Repeal of Conflicting Provisions

All Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 8. Severability.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the validity or unconstitutionality of such section, paragraph, clause or provision shall not effect any of the remaining provisions of this Ordinance.

Section 9. Publication.

A true copy of this Ordinance or summary thereof shall be published in the Tri City Times, a newspaper of general circulation in the Township of Almont, within 30 days after its adoption. A complete copy of the Ordinance is available for inspection by the public at the Township Clerk's office.

Section 10. Effective Date.

This Ordinance shall take effect 30 days from and after the publication of a true copy or summary thereof as provided in Section 9.

CERTIFICATION OF TOWNSHIP CLERK

I hereby certify that the attached constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Almont Township, Lapeer County, Michigan at a meeting held on the 11th day of May, 2015.

I hereby further certify that the following Township Board Members were present at the meeting:

BOWMAN, HOFFNER, KUDSIN, MOORE, STREETER, STROUP, GROESBECK.

and the following Township Board Members were absent:

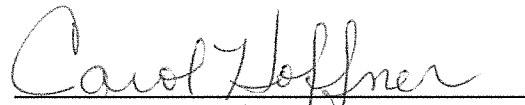
NONE

I further certify that Member STROUP moved for the adoption of the Ordinance, and that Motion was supported by Member STREETER.

I further certify that the following Almont Township Board Members voted for the adoption of the Ordinance.

GROESBECK, MOORE, STREETER, KUDSIN, HOFFNER, STROUP, BOWMAN.


and that the following Almont Township Board Members voted against adoption of the Ordinance: NONE.



Carol Hoffner, Clerk
Township of Almont

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Almont, do hereby certify that on MAY 20, 2015, the foregoing Ordinance, or Summary thereof, was duly published in the TRI CITY TIMES, a newspaper having general circulation within the Township of Almont.



Carol Hoffner, Clerk
Township of Almont