

BLIGHT ORDINANCE

The Township of Caledonia, County of Alcona, State of Michigan

ORDAINS:

ORDINANCE NO. 2020-02

Adopted: 3-11-2020

Effective: 4-11-2020

AN ORDINANCE to prevent, reduce or eliminate blight or potential blight in the Township; to provide penalties for the violation of said ordinance; to provide for assessment of the cost of said eliminating or remediating such blight; and to repeal all ordinances and parts of ordinances in conflict therewith, including without limitation Ordinance 2005 - 001.

SECTION I - Purpose

Consistent with the letter and spirit of Act No. 344 of the Public Acts of Michigan of 1945 (MCLA §§ 125.71 *et seq.*), as amended, and Act No. 208 of the Public Acts of Michigan of 1949 (MCLA §§ 125.941 *et seq.*), as amended, it is the purpose of this article to prevent, reduce or eliminate blight or potential blight in the Township 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 rehabilitate already blighted areas in the Township.

SECTION II - Causes of blight or blighting factors

It is hereby determined that the following uses, structures, conditions and activities are causes of blight, or blighting factors which, if allowed to exist, will tend to result in blighting and undesirable neighborhoods, and which if alleviated or remedied will tend to rehabilitate already blighted areas. No person shall maintain or permit to be maintained any of these causes of blight or blighting upon any premises in the Township owned, leased, rented or occupied by any such person:

1. In any area other than those having a valid junkyard permit or used car license, the storage upon any premises of junk automobiles is prohibited. For the purposes of this article, the term "junk automobiles" shall include any motor vehicle which is not licensed for use upon the highways for a period in excess of 30 days, or which does not have license plates attached thereto, and shall also include, whether so licensed or not any motor vehicle that is inoperative for any reason for a period in excess of 30 days.

“Junk automobiles” shall not include (i) motor homes, not to exceed one (1) per residence, if operable and registered within one (1) year of being brought upon the premises, and (2) race cars which are operable and used for recreational race purposes, and which are enclosed or otherwise shielded from view from any adjacent street within in a garage or other enclosure, or under a tarp or similar cover.

2. In any area zoned for residential purposes, the storage upon any premises of any building materials or construction upon such premises and such 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, fence posts and fencing material of either wood or metal or any other materials used in constructing any structure or fence.
3. In any area other than those having a valid junkyard permit, the storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such manner as not to create a nuisance for a period not to exceed 15 days. The term "junk" shall include but shall not be limited to, parts of machinery or parts of motor vehicles, unused stoves or other appliances stored in the open, remnants of wood, metal or any other material or other cast-off material of any kind whatsoever whether or not the same could be put to any reasonable use.
4. 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.
5. In any area, the existence of any vacant dwelling, commercial building, garage or other out building unless the same are kept securely locked, with windows kept glazed or neatly boarded up, and otherwise protected to prevent entrance thereto by vandals or unauthorized members of the public. Provided, however, that the existence of any vacant boarded up building for a period in excess of six months shall be deemed to be a cause of blight or a blighting factor.
6. 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.

SECTION III - Enforcement and Violations

1. This article shall be enforced by the Township Zoning Administrator, Supervisor or by such other person as may be designated by the Township Board of Trustees.
2. The owner, if known, and the occupant of any premises upon which any one or more of the causes of blight or blighting factors set forth in hereinabove is found to exist shall be notified in writing to remove and eliminate such causes of blight or blighting factors from such premises within ten days after service of notice upon him. Such notice may be served personally or by certified mail, return receipt

requested, addressed to the owner at the address shown on the latest Township tax rolls, and to the occupant at the address of the premises involved. If the owner or occupant cannot be served personally or by certified mail, a copy of the notice shall be posted in a conspicuous place on the premises and published once in the official newspaper of the Township.

Additional time may be granted by the enforcement officer where in his/her opinion bona fide efforts to remove or eliminate such causes of blight or blighting factors are being made.

3. Failure of the owner and/or occupants to comply with such notice within the time set forth in the notice shall constitute a civil infraction, and shall be enforced, prosecuted and punishable in accordance with the Township Municipal Civil Infraction Ordinance.
4. In the event the owner/occupant shall fail to comply with such notice aforesaid, and in addition to all other remedies provided herein or otherwise available at law or equity, the Township may undertake the remediation of any or all of such blight or blighting factors, and the costs thereof shall constitute a lien on the subject real premises, which shall be assessed and collected in the same manner as other *ad valorem* taxes and assessments.

SECTION IV – Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION V – Repealer

Any other Township Ordinance or provision thereof inconsistent with the terms and provisions of this Ordinance is hereby repealed.

SECTION VII – Effective date

This Ordinance shall take effect thirty (30) days after publication.

Following a public reading of the Ordinance, and at a regular meeting of the Board of Trustees of the Township of Caledonia held on the 11 day of March, 2020, adopting of the foregoing Ordinance was moved by Roe and supported by Smith.

Yes: Roe, Smith, Apsey

No: Scott, Kerry

CERTIFICATION

The foregoing is a true copy of Ordinance No. 2020-02 which was enacted by the Board of Trustees of the Township of Caledonia, Alcona County, at a regular/special meeting held on the 11 day of March, 2020. A copy or Notice of same was published in the Alcona County Review on 3-25, 2020.



KERRY SCOTT, Clerk