

GREENWOOD TOWNSHIP
BLIGHT ELIMINATION ORDINANCE
NO. 7-04

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Greenwood Township, Oscoda County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by act 344 of the Public Acts of 1945, as amended.

THE TOWNSHIP OF GREENWOOD, OSCODA COUNTY ORDAINS:

Section 1: Purpose

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in Greenwood 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 said township.

Section 2: Causes of Blight or Blighting Factors

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 neighborhoods. On and after the effective date of this ordinance, no person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in Greenwood Township owned, leased, rented or occupied by such person, firm or corporation.

B: In any area zoned for residential purposes, the storage upon any property of junk automobiles, except in a completely enclosed building. For the purpose of this ordinance, the term “junk automobiles” shall include *no more than one motor vehicle which is not licensed for use upon the highways of the State of Michigan, and shall also include, whether so licensed or not, any motor vehicle which is inoperative. *Amended by motion on 2-12-13.

C: In any area zoned for residential purposes, the storage upon any property of building materials unless there is in force a valid building permit issued by the Greenwood Township for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include but shall 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 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. The term “junk” shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of woods, brush, 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.

E: In any area, the existence of any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable, if a dwelling, nor useful for any other purpose of which it may have been intended.

F: In any area, the existence of any vacant dwelling, garage or other out-building unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons.

G: 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 3: Enforcement and Penalties

A: The ordinance shall be enforced by such persons who shall be so designated by the Township Board.

B: 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 2 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 15 days after service of the notice upon him. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the enforcement officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

C: A violation of this Ordinance shall be a municipal infraction subject to a civil fine in the amount provided by this ordinance, plus any costs, damages, expenses and other sanctions as authorized by laws.

- (1) The civil fine for the first violation shall be \$125.00 plus costs and other sanctions, for each infraction.
- (2) Increased civil fines may be imposed for repeated violations of any requirement or provision of this ordinance. As used in this section, "repeat offense" means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision (i) committed by person within 180 days and (ii) for which the person admits responsibility or is determined responsible. Unless otherwise specifically provided by this Ordinance, the increased fine for repeat offense shall be as follows:
 - (a) The fine for any offense which is a first repeat offense shall be \$250.00, plus costs.
 - (b) The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be \$500.00, plus costs.

D: in addition any violation of this Ordinance is hereby declared to be a public nuisance per se which may be abated in Circuit Court in lieu of or in addition to other civil sanctions. The Circuit Court action may request injunctive relief, seek to hold the responsible party subject to contempt and further may request the cost of cleanup be assessed against the real property as a special assessment. Those costs would include actual attorney fees.

Section 4: Effective Date and Adoption

This ordinance shall become effective thirty (30) days after its publication as required by law.

This ordinance was adopted by the Township Board of the Greenwood Township, Oscoda County, Michigan, at a Regular meeting thereof held on July 13, 2004. Amended on November 14, 2006. Amended on February 12, 2013.

Loretta H. Kischnick,

Greenwood Township Clerk