

BLIGHT ELIMINATION ORDINANCE:						Length: 4 Pages			
Reviewed									
Revised	*10/05								

*denotes date of origin

Definition of Ordinance:

An ordinance to prevent, or eliminate blight, blighting factors or causes of blight within Grass Lake Charter Township, Jackson County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to enacting authority therefore provided by act 334 of the Public Acts of 1945, as amended.

I. Title of Ordinance:

This ordinance shall be known and cited as the Grass Lake Charter Township Blight Elimination Ordinance.

II. Purpose

A. 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 Grass Lake Charter 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.

III. Causes of Blight or Blighting Factors

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 the following causes of blight or blighting factors upon any property in Grass Lake Charter Township owned, leased, rented or occupied by such person, firm or corporation.

A. 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 Grass Lake Charter Township for construction upon said property and said 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.

B. 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 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 whether or not the same could be put to any reasonable use.

- C. 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, as a dwelling, and is no longer useful for any other purpose of which it may have been intended.
- 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 existing building permit issued by Grass Lake Charter Township and unless such construction is completed within one year after issuance thereof, unless this time is extended by the building inspector.

IV. Severability

If any section, subdivision sentence, regulation, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining sections, subdivision, sentences, regulation, clauses and phrases of this ordinance or the regulation as an entirety.

V. Penalties and Civil Fines/Cost

Any person, firm or corporation found violating the provisions of this Ordinance, is responsible for a Municipal Civil Infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule: Each day that a violation shall continue, it constitutes a separate offense. The fine starts the day after the deadline date stated on the notice. Checks for fines shall be made payable to Grass Lake Charter Township.

First Violation within a 3-year period*.....	\$50.00/per day
Second violation within a 3-year period*.....	\$100.00/per day
Third violation within a 3-year period*.....	\$200.00/per day
Fourth or subsequent violation within a 3-year period..	\$400.00/per day

*(*determined on the basis of the date of the violation(s))*

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the township has been put in connection with the violation. In no case, however, shall costs of less then \$9.00 or more the \$500.00 be ordered. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law.

Any violation of this ordinance shall also constitute a public nuisance, which may be abated by injunctive relief or any other remedy permitted by law.

VI. Notice Information:

- A. Whenever the Township Ordinance Enforcement Officer determines that the whole or any part of any property has blight or blighting factor(s) the Township Ordinance Enforcement Officer shall issue a notice of the condition.
- B. Such notice shall be directed to each owner or party in interest whose name the property appears on the last local tax assessment records.
- C. All notices shall be in writing and shall be served upon the owner or party in interest directly and personally, or in lieu of personal service may be mailed by certified mail – returned receipt requested and addressed to the owner or party in interest at the address shown on the tax records, at least ten (10) days before the date of the hearing described in the notice. A copy of the notice shall be posted upon a conspicuous place at the property.
- D. The Township Ordinance Enforcement Officer shall file with the Township Board a copy of the notice of blight or blighting factor(s).
- E. The notice shall specify the time and place of a hearing to be held before the Township Board, at which time and place the person or persons to whom the notice is directed shall have the opportunity to show cause why the blight or blighting factor(s) should not be ordered to be removed or otherwise made safe.

VII. Hearing Information:

- A. The Township Board shall take testimony from the Township Ordinance Enforcement Officer, the owner of the property, and any interested party or other witness. The Township Board shall render its decision either closing the proceedings or ordering the blight or blighting factor(s) to be made safe.
- B. If the owner or party in interest neglects or refuses to comply with the order, the Township Ordinance Enforcement Officer shall file a report of its findings and a copy of its order with the Township Board and request that the necessary action be taken to remove the blight or blighting factor(s). A copy of the findings shall be served on the owner or party in interest.
- C. The Township Board shall fix a date for a hearing, reviewing the findings and order of the Township Ordinance Enforcement Officer, and shall give notice to the owner or party in interest of the time and place of the hearing. At the hearing the owner or party in interest shall be given the opportunity to show cause why the blight or blighting factor(s) should not be made safe and the Township Board shall either approve, disapprove, or modify the order.
- D. The cost for removing the blight or blighting factor(s) shall be a lien against the real property and shall be reported to the assessing officer of the Township who shall assess the cost against the property on which the blight or blighting

factor(s) is located.

- E. The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first class mail at the address shown on the records. If the owner or party in interest fails to pay within thirty (30) days after mailing by the assessor of the amount due, the assessor shall add the cost to the next tax roll of the Township and the amount due shall be collected in the same manner as provided by law for the collection of taxes by the Township.

VIII. Judicial Review:

An owner or party in interest aggrieved by any final decision or order of the Township board may appeal the decision or order the circuit court by filing a petition for an order of superintending control within twenty (20) days from the date of the decision.

IX. Effective Date

This Ordinance shall take effect immediately upon publication or posting as required by law following adoption by the Township Board. Adoptive Date 10-11-2005.

Marjorie A. Clark
Grass Lake Charter Township, Clerk
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