

VILLAGE OF OAKLEY
COUNTY OF SAGINAW, STATE OF MICHIGAN
VILLAGE ORDINANCE NO. 2001-02

VILLAGE OF OAKLEY BLIGHT ORDINANCE

An Ordinance to prohibit the maintenance of blighting conditions and factors and to safeguard structures upon which the public good depends, and to provide for the enforcement thereof and to provide penalties for the violation thereof. This Ordinance shall be referred to as the "Village of Oakley Blight Ordinance".

IT IS HEREBY ORDAINED BY THE VILLAGE OF OAKLEY, SAGINAW COUNTY, MICHIGAN:

Section 1. -- PURPOSE

It is the purpose of this Ordinance to remove, eliminate, repair, rehabilitate such structures, uses and activities which are of a nature to cause blight or blighting conditions and to safeguard structures upon which public good depends.

Section 2. -- CAUSES OF BLIGHT OR BLIGHTING FACTORS

It is hereby determined that the following structures, uses and activities are causes of blight or are blighting factors which, if allowed to exist, will result in blighted neighborhoods and will harm the economic structure upon which the public good depends. On and after the effective date of this Ordinance no person, firm, or corporation or any group of any kind shall maintain or permit to be maintained any of these blights or blighting conditions upon any land or premises in the Village of Oakley.

The following activities are expressly prohibited in the Village of Oakley.

1. In any area zoned residential by Ordinance of the Village of Oakley, the existence of any junk motor vehicle, except in a completely enclosed building is expressly prohibited. For the purpose of this Ordinance the term "junk" motor vehicle shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of sixty (60) days and also, whether so licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of sixty (60) days.

2. In any area zoned residential by said Zoning Ordinance, the out of doors storage upon any premises of building materials unless construction work is being done on said premises under a building permit 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, provide further, that all construction debris shall be removed from any premises, prior to the issuance of a certificate of occupancy by the Building Inspector.

3. In any area zoned residential by said Zoning Ordinance, the storage of 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 thirty (30) days. The term "junk" shall include parts of machinery or motor vehicles, construction machinery or parts thereof, unused stoves or other appliances stored in the open, metal or any other material or other castoff material of any kind whether or not same could be put to any reasonable use.

4. In any area zoned residential by said Zoning Ordinance, the existence of any vacant dwelling, garage, or out-building unless the same is kept securely locked, windows kept glazed or boarded up, and otherwise protected to prevent entrance thereto by unauthorized person or persons.

5. In any area zoned other than residential by said Zoning Ordinance, the causes of blight or blighting factors hereinbefore prohibited in any area zoned for residential purposes, unless such uses of property are incidental to and necessary for the carrying on of the use lawfully being conducted upon the premises involved.

6. In any area the existence of any structure or part of 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.

7. 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 the Village of Oakley and unless exterior construction is completed within one year after issuance thereof; unless this time is extended by the Building Inspector.

Section 3. -- ENFORCEMENT AND PENALTIES

1. This Ordinance shall be enforced by the Building Official and/or Ordinance Enforcement Officer of the Village of Oakley.

2. The owner, 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 from such property within ten (10) days after service of the notice upon him. Such notice may be served personally or by certified, return receipt requested mail. Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting are in progress.

3. Failure to comply with such notice within the time allowed the owner and/or occupant shall constitute a violation of this Ordinance. Each day that there is such a failure to comply shall constitute a separate offense.

4. Violation of this Ordinance shall be deemed to be a nuisance per se. Any person or anyone acting on behalf of any such person who shall violate any provisions of this Ordinance, or who shall fail to comply with any of the requirements thereof shall be guilty of a municipal civil infraction as provided in Ordinance No. _____, Village of Oakley Municipal Sanctions for Ordinance Violations Ordinance.

Section 4. -- SEVERABILITY

This Ordinance and the various parts, sentences and clauses thereof are hereby declared to be severable and if any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part declared to be unconstitutional and invalid.

Section 5. -- REPEAL CLAUSE

All ordinances or parts of ordinances in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect.

Section 6. -- EFFECTIVE DATE

This Ordinance shall take effect and be enforce thirty (30) days after its publication.

VOTE ON SAID ORDINANCE

Adopted:

Yeas: _____

Nays: _____

DOUGLAS SHINDORF,
Village President

DOROTHY STOLL,
Village Clerk

CERTIFICATION

The above Ordinance is a true copy of the Ordinance made and passed by the Oakley Village Council at a regular meeting of said Village Council held on the _____ day of _____, _____.

Dated: _____

DOROTHY STOLL, Village Clerk

The above Ordinance was published in The Tri-County Citizen, Chesaning, Michigan, on the _____ day of _____, _____.

Dated: _____

DOROTHY STOLL, Village Clerk