

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Adrian Charter Township, Lenawee County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by Public Act 344 of 1945, as amended, the Blighted Area Rehabilitation Act (MCL 125.71, *et seq.*).

THE TOWNSHIP OF ADRIAN, LENAWEE COUNTY, MICHIGAN, 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 Adrian 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 Adrian Charter Township.

### **Section 2: 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 these causes of blight or blighting factors upon any property in Adrian Charter Township owned, leased, rented or occupied by such person, firm or corporation.

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 any 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.

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 Adrian 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 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.

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, 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.

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.

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.

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**

This ordinance shall be enforced by such persons who shall be so 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 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 10 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 bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this ordinance.

Violation of this ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding \$200.00 dollars or by imprisonment not exceeding 90 days or by both such fine and imprisonment in the discretion of the Court.

**Note:** *This ordinance is written to be enforced as a criminal misdemeanor. If your township intends to enforce this ordinance as a civil infraction, the penalty provision will need to be revised. Please consult your local attorney, or contact Michigan Townships Association for sample civil infraction penalty provisions and enforcement guidelines.*

#### **Section 4: Effective Date and Adoption**

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

*The purpose of this sample ordinance is to provide a suggested guideline for the types of items that should be included within an ordinance. Certainly, no sample ordinance should be used unless, after careful review, it is the professional judgment of your legal counsel that using the sample will accomplish the particular objectives and intentions of your township. Although these sample ordinances are the result of much thought and effort, neither the authors nor the Michigan Townships Association assumes any responsibility for the results of using these samples word-for-word in individual cases.*