

Blight Ordinance

(as amended)

AN ORDINANCE TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS OR CAUSES OF BLIGHT WITHIN FULTON TOWNSHIP, GRATIOT COUNTY, MICHIGAN; TO PROVIDE FOR THE ENFORCEMENT HEREOF; AND TO PROVIDE PENALTIES FOR THE VIOLATION HEREOF; PURSUANT TO THE ENABLING AUTHORITY THEREFORE PROVIDED BY ACTS 344 (MCL 125.71 ET SEQ.) AND 246 (MCL 41.181 ET SEQ.) OF THE PUBLIC ACTS OF 1945 AS AMENDED.

THE TOWNSHIP OF FULTON, GRATIOT COUNTY, ORDAINS:

Section 1. PURPOSE

Consistent with the letter and spirit of act No. 344 of the Public Acts of 1945, as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in Fulton 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

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 Fulton Township owned, leased, rented or occupied by such person, firm or corporation.

A. Any parking, storage or accumulation of inoperable motor vehicles on any private property, unless that storage or accumulation is inside a completely enclosed building, or a fence made of such material as would hide said accumulation from view, or if such accumulation and/or storage is accomplished in such a manner as to conceal same from view from adjacent private or public property, including public or private roads.

No such storage or accumulation shall be permitted when such storage presents a hazard to public health or safety.

Nothing contained herein shall prohibit the storage, out-of-doors, of motor vehicles commonly licensed for farm use, whether such license is currently in effect or not, or recreational motor vehicles and trailers, whether currently licensed or not.

For the purpose of this Ordinance, an inoperable motor vehicle is defined as a motor vehicle not in operating condition and eligible for use in accordance with the requirements of the Michigan Vehicle Code. These requirements include, but are not limited to, an engine that runs, four wheels and four tires capable of holding air, current license plates, and a working battery.

B. The storage upon any property, outside of a fully enclosed building, of building materials. The outdoor storing of building materials is permitted at any retail or wholesale building supply establishment located in a commercial or industrial district. The outdoor storage of building materials is permitted in other zoning districts when stored for the purpose of construction for which construction, a valid building permit has been issued

by the appropriate county or township building official and where said materials are intended for use in connection with such construction.

For the purposes of this Ordinance, the term "building materials" is defined to include lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, cement, nails, screws or any other materials used in constructing any structure.

C. In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a land-fill permit, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed thirty 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.

D. 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.

E. In any area, the existence of any vacant dwelling, garage or other outbuilding 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.

F. 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/City/Village and unless such construction is completed within a reasonable time.

Section 3. ENFORCEMENT AND PENALTIES

- A. This Ordinance shall be enforced by such persons who shall be so designated by the Township.
- B. Any violation of this Ordinance shall constitute a nuisance per se. Violation of, or any failure to comply with, the provisions of this Ordinance shall be deemed a misdemeanor and shall be punishable by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment but not to exceed ninety (90) days or both. Each day that a violation of this Ordinance is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in the Section, provided no person shall be imprisoned for a period in excess of ninety (90) days.
- C. In the event a Court Order is entered ordering the abatement of such nuisance, the Township designee may, if the Defendant fails to obey such Order, take such measures as necessary or as directed by the Township designee to abate such nuisance and the entire cost thereof including all costs and attorney fees shall, at the option of the Township designee, become a lien against the premises upon which the nuisance was located and shall be added to the tax rolls, or become a deficiency Judgment to be enforce by levy, execution, garnishment or otherwise.

Section 4. SEVERABILITY

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force an effect.

Section 5. EFFECTIVE DATE AND ADOPTION

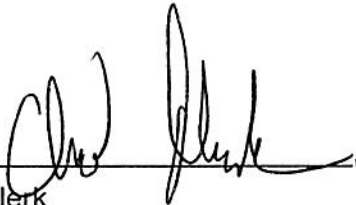
- A. This ordinance shall become effective thirty (30) days after its publication as required by law. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

- B. This Ordinance was adopted by the Township Board of the Township of Fulton, Gratiot County, Michigan at the Regular meeting thereof held on October 15, 2020.

Chad Marecek

Signed by _____

Fulton Township Clerk



Published November 5, 2020

Effective date December 5, 2020