

ORDINANCE #2013-005

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

THE TOWNSHIP OF SUMMERFIELD, MONROE 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 Summerfield Township by the prevention or elimination of certain 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 Factor

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

The following activities are expressly prohibited in Summerfield Township, except as defined therein:

A. MOTOR VEHICLES

The storage of motor vehicles without valid unexpired license plates for a period of sixty (60) days or longer, unless such vehicles are completely enclosed in a building or structure or screened to prevent their being seen from the view of road passers-by or by adjacent neighbors at ground level. Such vehicles shall also possess all main component parts as an indication of potential on-road use.

B. OUTDOOR STORAGE OF BUILDING MATERIALS

The outside storage upon any property of building materials, unless construction work is being done or is being contemplated within sixty (60) days on said premises in accordance with a valid 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 other materials used in constructing any structure. All construction debris shall be removed from any premises within thirty (30) days after completion of the construction as confirmed by the Building Inspector.

Allowable building materials shall be stored in the rear of a residence and neatly covered with a tarpaulin, plastic or other cover. Such storage area is not intended for use as a commercially available supply of building material on a regular basis.

C. FARM STORAGE

In R-1 parcels larger than 9 acres or any AG-1 zoned parcels or any AG-2 zoned parcels where the land use is a farm, the outside storage of farm implements and machinery shall not fall within the meaning of junk or junk motor vehicles. The storage of usable building materials for use on the farm property shall be permitted, provided such materials are neatly stored to the rear of the farm residence.

D. GARBAGE, TRASH, RUBBISH, REFUSE

The storage or accumulation of garbage, trash, rubbish or refuse of any kind upon any property, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed 15 days.

E. STORAGE OF MISCELLANEOUS ITEMS

The accumulation of any junk materials or other articles not prohibited above shall be neatly stored and covered and located to the rear of property in such a manner so as not to cause a nuisance to neighboring property owners, or be detrimental to public health, safety, and welfare. 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.

F. VACANT DWELLINGS

The existence of any vacant building, 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. LOSS OF USE

The existence of any structure or part of structure which because of fire, wind or other natural disasters or physical deterioration is no longer habitable as a dwelling, nor useful for any purpose for which it may have been originally intended.

H. PARTIALLY COMPLETED STRUCTURES

The existence of any partially completed structure, unless such structure is in the course of construction according to a valid and existing building permit issued by Summerfield Township, and unless exterior construction is completed within one year after issuance thereof.

I. IN ANY AREA ZONED COMMERCIAL OR INDUSTRIAL

The causes of blight or blighting factors hereinbefore are prohibited unless such use of property is incidental to and necessary for the carrying on of any business or occupation lawfully being conducted upon the premises involved.

Section 3: *Enforcement and Penalties*

- A. This 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 cause of blight or blighting factors from such property within 14 days after service of the notice upon them. 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. Failure by the owner and/or occupant to comply with such notice within the time allowed shall constitute a violation of this ordinance.
- D. Violation of this ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding Five

Hundred (\$500.00) dollars or by imprisonment not exceeding Ninety (90) days or by both such fine and imprisonment in the discretion of the Court. Each day a violation exists shall be considered a separate violation.

Section 4: Repeals

Summerfield Township Ordinance No. 05-02 and any other ordinance or provision of any ordinance which conflicts with the terms of this ordinance is hereby repealed.

Section 5: Severability

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance.

Section 6: Effective Date and Adoption

- A. This ordinance shall become effective thirty (30) days after its publication as required by law.
- B. This ordinance was adopted by the Township Board of the Summerfield Township, Monroe County, Michigan, at a Regular meeting thereof held on November 18, 2013.