

## Blight Elimination

*An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Clinton 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 CLINTON, 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 Clinton 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 Clinton Township.

#### **Section 2. Causes of Blight or Blighting Factors**

- 2.1. 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 Clinton Township owned, leased, rented or occupied by such person, firm or corporation.
- 2.2. 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.
- 2.3. 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 Clinton 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.
- 2.4. 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.

- 2.5. 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.
- 2.6. 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.
- 2.7. 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 subsisting building permit issued by the township and unless such construction is completed within a reasonable time.

### **Section 3. Enforcement and Penalties**

- 3.1. This ordinance shall be enforced by such persons who shall be so designated by the Township Board.
- 3.2. 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 bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- 3.3. Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this ordinance.
- 3.4. **Municipal Civil Infractions Violations and Penalties**
  - A. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not less than \$50.00 nor more than \$500.00 for the first offense and not less than \$100.00 nor more than \$2,500.00 for subsequent offenses, in the discretion of the Court, and such fine shall be in addition to all other costs, attorney fees, damages, expenses, and other remedies as provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person for the same property within twelve (12) months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility or was adjudicated to be responsible, provided, however, that offenses

committed on subsequent days within a period of one week following the issuance of a citation for a first offense shall be considered separate first offenses.

- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.
- C. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.
- D. Any use of land that is commenced or conducted, any activity, or any building, item or structure that is erected, moved, used, placed, reconstructed, razed, extended, enlarged, altered, maintained, or changed, in violation of any provision of this Ordinance is also hereby declared to be a nuisance per se.
- E. Each and every day during which a violation of this Ordinance shall exist shall be deemed to be a separate offense.
- F. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting and shall be considered to have violated the provision of this Ordinance involved for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

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

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