

VILLAGE OF DRYDEN

BLIGHT ORDINANCE

Ordinance No. 23.3

An ordinance to protect the public health, safety and general welfare by eliminating blight within the Village of Dryden; to define and prohibit blight; to assess costs for blight removal; and to provide penalties for violations.

THE VILLAGE OF DRYDEN ORDAINS:

ARTICLE I

Blight Defined and Prohibited

Section 1.1. It is hereby determined that the uses of land described in this Article constitute blight which, if allowed to exist, will result in unsafe, unsanitary and undesirable conditions.

Section 1.2. No person shall maintain or permit to be maintained any of the following types of blight upon any premises owned, rented, or occupied by such person:

- (a) The outdoor storage of any junk motor vehicle. The term "junk motor vehicle" shall include any motor vehicle which is not currently licensed, and which has been inoperable for any reason for a period in excess of thirty (30) days.
- (b) The outdoor storage or accumulation of junk. The term "junk" shall include machinery parts, tires, containers, motor vehicle parts, mobile home components, tin cans, unused appliances, metal remnants, cast-off materials, inoperable equipment, discarded building materials, and any inoperable or discarded machinery or materials.
- (c) The storage or accumulation of garbage of any kind, except domestic refuse originating on the premises and stored in a sanitary manner for a period not to exceed fourteen (14) days. The term "garbage" shall include food waste matter and discarded food containers, as well as any other household refuse.
- (d) The dumping or landfilling of any junk or garbage. The term "dumping or landfilling" shall include burying or otherwise disposing of items on property not licensed as a landfill pursuant to the Michigan Solid Waste Management Act.
- (e) The existence of uncut grass or weeds in excess of six (6) inches in height on any parcel of land zoned for residential, commercial, or industrial purposes. This shall not include parcels of land in agricultural production or vacant parcels of land in excess of ten (10) acres in size.

ARTICLE II
Cutting of Grass and Weeds

Section 2.1. Property owners, as identified in the most current tax roll, shall be notified when grass or weeds in excess of six (6) inches in height are observed on their property. The responsible property owner shall be given fourteen (14) days to voluntarily comply from the date the notice of the violation is mailed.

Section 2.2. The Village Council may direct Village employees or independent contractors to undertake the necessary work to cut any grass or weeds which have not been cut by voluntary action on the part of the responsible property owner. In the event that Village employees or outside contractors are used to cut weeds or grass, the full cost of obtaining compliance, including administrative and collection costs as well as mowing costs, shall be assessed against the property on the Village tax roll.

ARTICLE III
Penalties and Enforcement

Section 3.1. Any person, firm or corporation who violates any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions, for each infraction. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Dryden Village Civil Infraction Ordinance, being Ordinance Number 96-001.

Section 3.2. As an alternative to proceedings under Section 3.1, the Village may seek injunctive relief through Circuit Court to abate any violations. Any violation of this Ordinance shall constitute a nuisance per se.

Section 3.4. Any person found responsible for blight shall eliminate such blight and shall be liable for the cost of elimination of the blight, including attorney fees incurred by the Village. If such blight is not eliminated by the responsible party, the Village may cause such blight to be eliminated and bill the cost to the responsible party. The cost of such blight elimination, if it is not voluntarily paid for by the responsible party, shall be assessed against the property on the next tax roll.

ARTICLE IV
Repeal

Section 4.1 Former Blight Ordinance Nos. 23, 23.1, and 23.2, adopted on October 10, 1977, June 4, 1984, and July 10, 2000, respectively, are hereby repealed in their entirety.

ARTICLE V
Enactment and Effective Date

Section 5.1 This Ordinance was adopted by the Dryden Village Council at a meeting duly held on the 5 day of Jan, 2009 and was published in the Tri-City Times

on the 14 day of Jan, 2009.

Section 5.2. This Ordinance shall take effect twenty (20) days after the date of adoption specified in Section 5.1.

P. Betcher

Patrick Betcher, President

L. Brewer

LeAnn Brewer, Clerk