

CASCO TOWNSHIP

ORDINANCE NO. 041519-1

BLIGHT ORDINANCE

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Casco Township, Allegan County, Michigan; to provide for enforcement of the Ordinance; and to provide penalties for the violation of the Ordinance; all pursuant to the enacting authority provided by Public Act 344 of 1945, as amended, the Blighted Area Rehabilitation Act (MCL 125.71, et seq.).

THE TOWNSHIP OF CASCO, COUNTY OF ALLEGAN, STATE OF MICHIGAN,
ORDAINS:

Section 1. Purpose

Consistent with Public Act 344 of 1945, as amended ("Act 344"), it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in Casco Township (the "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 the Township.

Section 2. Causes of Blight or Blighting Factors

The Township determines 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, corporation or entity of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in the Township which is owned, leased, rented or occupied by the person, firm, corporation or entity; nor may any person, firm, corporation or entity of any kind maintain "blighted property" as defined in Act 344.

In any area zoned for residential purposes, the storage upon any property of junk automobiles and inoperable boats is prohibited, 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. The term "motor vehicle" is defined in Section 33 of Public Act 300 of 1949 (MCL 257.33), as amended or restated.

In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit is prohibited, 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, and unused building materials.

Section 3. Enforcement and Penalties

A person, firm, corporation or entity of any kind who violates any provision of this Ordinance or fails to comply with any of its requirements, including a property owner who allows a lessee to violate or does not prevent a lessee from violating any provision of this Ordinance, shall be responsible for a municipal civil infraction, subject to enforcement procedures as set forth in Michigan law, and subject to a fine of \$50.00, plus costs and other sanctions, for each infraction. Each day during which any violation continues after notice has been served shall be deemed a separate and distinct offense. Increased civil fines may be imposed for repeat violations. A repeat violation means a second or subsequent municipal civil infraction violation committed by a person within any 12 month period and for which a person admits responsibility or is determined to be responsible. An increased civil fine for repeat violations shall be as follows:

- A. The fine for any offense which is a first repeat offense shall be \$250.00, plus costs and other sanctions;
- B. The fine for any offense which is a second repeat offense, or any subsequent repeat offense, shall be \$500.00, plus costs and other sanctions.

The Township Supervisor, Zoning Administrator, members of the Allegan County Sheriff's Department, and any other individuals who may from time to time be appointed by resolution of the Township Board are designated as the authorized Township Officials to issue municipal civil infraction citations (directing alleged violators to appear in court).

Section 4. Severability

This Ordinance and its various parts, sections, subsections, sentences, phrases and clauses are severable. If any part, section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected.

Section 5. Administrative Liability


No officer, agent, or employee of the Township, or member of the Township Board, shall be personally liable for any damage that may accrue to any person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of duties and responsibilities pursuant to this Ordinance.


Section 6. Repeal

All ordinances or their parts which are in conflict in whole or part with any of the provisions of this Ordinance as of the effective date of this Ordinance are repealed to the extent of such conflict, except that terms defined in this Ordinance for purposes of interpretation, administration and enforcement of this Ordinance only will in no manner repeal, modify or otherwise change the definition of any such terms as used in other Township ordinances.

Section 7. Effective Date

This Ordinance was approved and adopted by the Township Board of Casco Township, Allegan County, Michigan, at a regular meeting held on April 15, 2019, and it is ordered to take effect 30 days after publication in the South Haven Tribune, a newspaper with general circulation in the Township.


Allan W. Overhiser, Supervisor


Cheryl Brenner, Clerk

CERTIFICATE

I, Cheri Brenner, the duly elected Township Clerk for the Township of Casco, Allegan County, Michigan, certify that the foregoing Ordinance was adopted at a meeting of the Casco Township Board held on April 15, 2019. The following members of the

Township Board were present at that meeting: Overhiser, Wintrey, Brenner, Macyauski, GRAFF

_____ . The following members of the Township Board were absent: None

The Ordinance was adopted by the Township Board with members of the Board:

_____ voting in favor and members of the Board: None voting in opposition. The

Ordinance or a summary of the Ordinance was published in the South Haven Tribune on May 2, 2019.

Cheryl Brenner
Cheri Brenner, Township Clerk