

ORDINANCE NO. 14
BLIGHT ELIMINATION ORDINANCE

AN ORDINANCE TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS OR CAUSES OF BLIGHT WITH LYNDON TOWNSHIP, WASHTENAW COUNTY, MICHIGAN; TO PROVIDE FOR THE ENFORCEMENT HEREOF; AND TO PROVIDE PENALTIES FOR THE VIOLATION HEREOF. PURSUANT TO THE ENACTING AUTHORITY THEREFOR PROVIDED BY ACT 344 OF THE PUBLIC ACTS OF 1945, AS AMENDED.

THE TOWNSHIP OF LYNDON, WASHTENAW 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 Lyndon 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 Lyndon Township owned, leased, rented or occupied by such person, firm or corporation.

A. 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.

B. In any area zoned for residential purposes, the storage upon any property of building materials unless there is in force a valid building permit for construction upon said property 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 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 landfill permit, except domestic refuse stored in such a manner as not to create a nuisance. The term "junk" shall include parts of motor vehicles, unused stoves or other appliances stored in the open, remnants of metal or any 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 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.

E. 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 County and unless such construction is completed within a reasonable time.

Section 3: **ENFORCEMENT AND PENALTIES.**

A. This Ordinance shall be enforce 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 causes of blight or blighting factors from such property within ten days after service of the notice upon him. Such notice shall 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 of the owner and/or occupant to comply with such notice within time allowed shall constitute a violation of this Ordinance.

D. Any person or other entity who violates any of the provisions of this Ordinance is responsible for a municipal civil infractions as defined by Michigan law and subject to a civil fine determined as follows: FIVE HUNDRED and no/100 DOLLARS (\$500.00) for each violation. Additionally the violators shall pay costs, which may include all direct or indirect expenses to which the Township has been put in connection with the violation. A violator of this

Ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan Law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

E. Violation - Civil Infraction.

Section 4: APPEARANCE TICKETS.

In accordance with Public Act 366 of 1985, MCLA 764.9C; MSA 28.868(3), the Township Ordinance Enforcement Officer is authorized to issue and serve appearance tickets with respect to the following listed classes of offenses, to issue and serve upon a person an appearance ticket if the Ordinance Enforcement Officer has reasonable cause to believe that the person has committed the offense. As used herein, "appearance ticket" means a complaint or written notice issued and subscribed by the Ordinance Enforcement Officer under the Lyndon Township Zoning Ordinance for the class of offenses hereinafter stated to issue the ticket, directing a designated person to appear in a designated local district court at a designated future time in connection with his or her alleged commission of the listed violation of this Ordinance for the imposition of a civil infraction penalty as above provided. The appearance ticket shall be numbered consecutively, be in such form as determined by the Attorney General, the State Court Administrator, and the Director of the Department of State Police and shall consist of the following parts:

- A. The original, which shall be a complaint or notice to appear by the officer and filed with the Court.
- B. The first copy shall be the abstract of Court record.
- C. The second copy shall be retained by the local enforcement agency.
- D. The third copy shall be delivered to the alleged violator.

Appearance tickets may issue for violations of the Blight Ordinance.

Section 5. 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 Township of Lyndon, Washtenaw County, Michigan, at a regular meeting thereof held on 9th day of May 1995.

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RESOLUTION

STATE OF MICHIGAN)
COUNTY OF WASHTENAW)"

I, **JANIS KNIEPER**, Clerk of the **TOWNSHIP OF LYNDON**, a Michigan Municipal Corporation, do hereby certify that at a regular meeting of the Lyndon Township Board, in the Lyndon Township Hall in said Township at 7:07 p.m., Eastern Daylight Time, on the 9th day of May, 1995:

PRESENT: Members Geraldine Reith, Janis Knieper, John Francis, Barbara Roderick and Duane Noah.

ABSENT: Members None.

The following preamble and resolution were offered by Member Francis and supported by Member Roderick:

"WHEREAS it is in the interest of the Township, the residents, property owners, and public, and for the appointment of officers to enforce the ordinances of the Township of Lyndon and to be authorized to issue civil infraction notices and citations;

"AND WHEREAS, the Township Board has the power to appoint Township officials as Ordinance Enforcement Officers pursuant to statute and ordinance;

NOW THEREFORE BE IT RESOLVED THAT:

George Coash
John Francis

are hereby appointed as Ordinance Enforcement officers pursuant to Township Ordinance No. 12, the Lyndon Township Ordinance Enforcement Officer Ordinance.

2 . All resolutions or parts of resolution insofar as they may conflict with provisions of this resolution be and they are hereby rescinded."

AYES: Members Reith Knieper, Francis, Roderick and Noah

NAYES: Members None.

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Lyndon, County of Washtenaw, State of Michigan, at a regular meeting held on the 9th day of May 1995, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting are kept and will be or have been made available as required by said Act.

JANIS KNIEPER

Subscribed and sworn before me a Notary Public, this 10th day of May, 1995.

SHIRLEY L. GOODMAN, Notary Public
Washtenaw County, Michigan
My Commission Expires: 6/16/99

Prepared by:

KEUSCH AND FLINTOFT, P.C.
Attorneys for Township of Lyndon
BY: PETER C. FLINTOFT, (P-13531)
119 South Main Street, P.O. Box 187
Chelsea, Michigan 48118
Telephone: 313/475-8671