

WEST TRAVERSE TOWNSHIP
ANTI-BLIGHT ORDINANCE NO. 12-1

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within West Traverse Township, to provide for the enforcement thereof, and to provide penalties for the violation thereof.

Pursuant to the enabling authority provided by Act 246 of 1945, as amended.

WEST TRAVERSE TOWNSHIP HEREBY ORDAINS:

SECTION I. PURPOSE:

The purpose of this ordinance is to prevent, reduce or eliminate blight or potential blight in West Traverse Township by prevention or elimination of causes of blight or blighting factors which may exist or which may in the future exist.

SECTION II. CAUSE OF BLIGHT OR BLIGHTING FACTORS:

It is hereby determined that the uses, structures and activities listed in this Section are causes of blight or blighting factors which, if allowed to exist, will tend to encourage a blighted and undesirable environment and property devaluation. On or after the effective date of this Ordinance, no person, firm, corporation, or entity shall maintain or permit to be maintained any of the following listed causes of blight or blighting factors upon any property in West Traverse Township owned, leased, rented, or occupied by such person, firm, corporation, or entity.

A. JUNK AUTOMOBILES AND OTHER SIMILAR EQUIPMENT:

In any area of West Traverse Township, the storage upon any property of all or parts of machinery, junk automobiles, junk motor driven vehicles or implements, trailers or contractor's equipment in disrepair or boats in disrepair, except in a completely enclosed building or completely shielded from view from adjoining properties or a public road, by means of one or more of the following which has been specifically approved by the Township in writing: plantings, natural vegetation, topography or a structure approved by the Township.

For the purpose of this Ordinance, the phrase "junk automobiles, junk motor driven vehicles, trailers or contractor's equipment in disrepair or boats in disrepair" shall include any such item that is not licensed for use upon the highways of the State of Michigan for a period in excess of one year and shall also include any such item that has not been in use for a period in excess of six months. Farm machinery and equipment in normal use in connection with the operation of a farm is exempt from the provisions of Section II-A.

B. BUILDING MATERIALS:

In any area of West Traverse Township, the storage upon any property of building materials unless there is in force a valid Building Permit issued 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, cement or cinder blocks, plumbing and drainage materials, electrical wiring or heating ducts or equipment, roofing materials, builders' hardware, or any other materials used in constructing any structure. However, a limited amount of neatly piled building materials may be stored if the Enforcement Officer determines,

in writing, (1) that the materials, as stored, will not be unsightly or cause a blight and (2) how long such materials can be stored on such property.

The cause of blight or blighting factors as set forth in Section II-B shall not be determined to be causes of blight or blighting factors and subject to the prohibition of this Ordinance if such uses of property are incidental to and necessary for the active carrying out of any business or occupation which is being operated at the property in question in compliance with township zoning.

C. JUNK, TRASH, RUBBISH:

The storage or accumulation of junk, trash, rubbish or refuse of any kind, except as provided herein. The term "junk" shall include stoves, refrigerators or other appliances, remnants of wood except firewood neatly stacked, metal or other castoff materials of any kind stored in the open whether or not such materials could be put to any reasonable use.

On properties used for single family residential purposes, domestic refuse originating from such premises may be stored in such a manner as not to create a nuisance for a period not to exceed thirty (30) days. The refuse shall be stored in suitable containers so as to protect it from wind, rain, vermin, and animals, shielded from view of adjacent areas except when placed at the property line for removal on the day of removal. The proprietor of the premises shall provide for removal of all domestic refuse at least every thirty (30) days and more often if necessary to prevent the creation of a nuisance.

In any areas used for business or multiple-residential purposes, domestic refuse originating on such premises may be stored in such a manner as not create a nuisance for a period not to exceed ten (10) days. The refuse shall be stored in appropriate watertight, commercial-type containers, shielded from public view. The proprietor shall provide for the removal of all waste, trash, rubbish, or refuse of all kinds weekly and more often if necessary to prevent the creation of a nuisance.

The proprietor of business or multiple-residential premises shall keep the premises, including parking lots and right-of-ways adjoining the premises, free of junk, trash, debris or refuse of any kind and shall provide suitable containers for materials discarded by lawful occupants.

D. INCOMPLETE BUILDING:

The existence of any partially completed structure unless the structure is in the course of construction in accordance with a valid existing Building Permit or its extension.

E. DAMAGED OR UNUSED BUILDINGS:

The existence of any structure or part of structure which because of fire, wind, or other natural disaster or physical deterioration which in the judgment of the County Building Inspector is no longer habitable as a dwelling or useful for the purpose for which it may have been intended.

F. HOUSE TRAILERS, MOBILE HOMES, CAMPERS, OR RECREATIONAL VEHICLES:

House trailers, mobile homes, campers, or recreational vehicles in disrepair or not in normal use

for a period of one (1) year.

SECTION III - ENFORCEMENT AND PENALTIES,

- A. Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person who owns property or resides within West Traverse Township may file a written complaint. The complaint shall state fully the causes and basis of the violation and shall be filed with the Zoning Administrator, who is the Enforcement Officer, and who shall record properly such complaint, immediately investigate, and take action thereon as is provided for by this Ordinance. The Township Board, on its own initiative and by a majority vote of a quorum of its members, may also refer an alleged violation to the Enforcement Officer for investigation and action in accordance with this Ordinance.
- B. The owner or occupant of any property upon which any of the causes of blight or blighting factors set forth in Section II hereof is found to exist, shall be notified in writing by the Enforcement Officer to remove or eliminate such causes of blight or blighting factors from such property within thirty (30) days after service of notice upon him. Such notice may be served personally or by first-class mail. Additional time may be granted by the Enforcement Officer where timely and bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- C. If the owner or occupant fails to comply with the notice to eliminate the offending blight within the time set forth in paragraph B above, a citation for violation of this Ordinance may be issued by the Enforcement Officer, by the Township Supervisor, or by any other person authorized by the Township Board to issue such a citation.
- D. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not more than \$500.00, in addition to all other costs, damages, expenses, and other fees and remedies provided or allowed by law. Each day that a violation occurs shall be considered a separate violation.
- E. The issuance of a citation for a municipal civil infraction shall not in any way limit the Township from seeking enforcement of this Ordinance in any other manner, including, but not limited to an action to abate any nuisance created by a violation of this Ordinance and to recover any costs, expenses, damages, and fees, including attorney fees, that may be permitted or allowed by law in connection with such abatement and the enforcement of this Ordinance.

This Ordinance supersedes prior Township Ordinance No. 99-2. Furthermore, all Ordinances or parts of Ordinances in conflict with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect. This Ordinance shall become effective thirty (30) days after publication as required by law. A copy of the West Traverse Township Anti-Blight Ordinance may be inspected or obtained at the West Traverse Township Hall.