

TOWNSHIP OF MUNISING
ORDINANCE NO. 2017-1
BLIGHT ORDINANCE

The Township of Munising, Alger County, Michigan ordains:

SECTION 1
PURPOSE

It is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight; to regulate the storage, accumulation and disposal of junk, trash, rubbish, junk vehicles, building materials, unsafe structures, and storage of recreational vehicles within Munising Township, to provide for enforcement, and to provide penalties for violation.

SECTION 2
DEFINITIONS

- A. ABANDONED VEHICLE** shall include, without limitation, any vehicle which has remained on private property for a period of 48 continuous hours, or more, without the consent of the property owner or occupant of the property, or for a period of 48 continuous hours, or more, after consent of the owner or occupant of the property has been revoked.
- B. BUILDING MATERIALS** shall include, without limitation, lumber, brick, 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 the construction of a structure.
- C. DOMESTIC REFUSE** shall include, without limitation, rejected food wastes, including accumulation of animal, fruit or vegetable matter used or intended for food or that result from preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruit, or vegetable. Compost piles are exempt from this definition.
- D. JUNK** shall include, without limitation, broken and unused furniture, parts of machinery or motor vehicles, refrigerators, stoves, or other appliances, metal or any other cast-off material of any kind, whether or not it could be put to reasonable use.
- E. JUNK MOTOR VEHICLES** shall include, without limitation, any motor vehicle, or part of a motor vehicle, or former motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of 60 days, and is either:
 - i. Unusable or inoperable because of lack of, or defects in, component parts;
 - ii. Unusable or inoperable because of damage from collision, deterioration, or having been cannibalized;
 - iii. Beyond repair and therefore not intended for future use as a motor vehicle; or
 - iv. Being retained on the property for possible salvageable parts;

Provided there is excepted from this definition, operative vehicles which are used for snowplowing or farm equipment or kept as stock trade of a regularly licensed and established new or used automobile dealer; provided, further that the time limit such vehicles may remain upon premises for a motor vehicle repair garage shall be a period of 120 days rather than 60

days, with extension of additional 30 day periods upon presentation to the enforcing officer of written proof the offending vehicle is involved in insurance claim litigation or a similar matter and additional time is required for settlement before a vehicle can be moved.

- F. PERSON** shall include any individual, proprietorship, firm, public or private corporation, partnership, trust, public or private agency, or any other entity, or any group of such persons.
- G. RECREATIONAL VEHICLE** shall include snowmobiles, all-terrain vehicles, boats (motorized and non-motorized), watercraft, campers, travel trailers, utility trailers, snowmobile trailers, boat trailers, golf carts or similar recreational vehicles.
- H. RUBBISH AND TRASH** shall include any and all other forms of debris not otherwise classified.
- I. UNSAFE STRUCTURES** shall include, without limitation, any dwelling, garage or out-building, any factory, shop, store, office building, warehouse, or any other structure or part of a structure which, because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as a dwelling, safe, nor useful for the purpose for which it was intended.

SECTION 3 **STORAGE OF JUNK MOTOR VEHICLES**

The storage of more than one (1) junk motor vehicle upon any property is prohibited except in an area which has been fenced from view to a minimum height of six (6) feet on all sides, or unless enclosed in a garage or other suitable building.

SECTION 4 **STORAGE OF RECREATIONAL VEHICLES**

It shall be unlawful for any person to store or permit the storage of any unlicensed, unregistered or unusable recreational vehicles, or a recreational vehicle that is inoperable due to damage, deterioration, missing or defects in component parts, on any private property in the Township, except within a completely enclosed building or in an area which has been fenced from view to a minimum height of six (6) feet or in an area screened by natural objects, plantings, grade of land or other appropriate means so as not to be visible from the public roadway or adjoining property during all seasons.

SECTION 5 **STORAGE OF TRASH, RUBBISH, JUNK OR DOMESTIC REFUSE**

It shall be unlawful for any person to store or to permit the storage or accumulation of trash, rubbish, junk or domestic refuse on any private property in the Township, except within a completely enclosed building or in an area which has been fenced from view to a minimum height of six (6) feet on all sides, or in an area screened by natural objects, plantings, grade of land or other appropriate means so as not to be visible from the public roadway or adjoining property during all seasons. The accumulation of trash, rubbish and junk causes or creates a health hazard, as determined by the Alger-Delta-Schoolcraft District Health Department, shall not be permitted.

All Domestic refuse generated by a person shall be disposed of frequently enough to protect public health.

Wood or wood products usually used or intended to be used as firewood in a residence or any accessory structure shall be permitted to be stored and accumulated on any property with no screening requirements.

SECTION 6
BUILDING MATERIALS

The storage of building materials upon any property zoned for residential purposes, which are intended for use on said premises, must be in a neat and orderly fashion. Building materials cannot be stored outside for more than six (6) months without a valid building permit issued by Alger County.

SECTION 7
BUILDING CONSTRUCTION

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 properly posted building permit issued by Alger County and unless such construction is completed within the time line of said permit, shall be considered blight, and is prohibited.

SECTION 8
UNSAFE STRUCTURES

In any area, the existence of any unsafe structure as defined in Section 2 is considered a blight, and is prohibited.

SECTION 9
VACANT DWELLINGS

In any area, the existence of any vacant dwelling, garage, or other outbuilding, unless such buildings are kept securely locked, windows kept glazed or neatly boarded and otherwise protected to prevent entrance thereto by vandals is considered a blight, and is prohibited.

SECTION 10
COMPLAINTS

Any resident or landowner of the Township of Munising may make a complaint concerning properties and/or individuals that are acting in violation of this Ordinance. All complaints must be submitted to the Munising Township Board in writing on the Blight Ordinance Complaint Form. The Munising Township Board will direct the Ordinance Enforcement Officer to investigate such violations and take action as provided for within this Ordinance.

SECTION 11
ENFORCEMENT AND PENALTIES

- A. This Ordinance shall be enforced by the Ordinance Enforcement Officer or by such other person or persons as may be designated by the Munising Township Board.
- B. The owner, if possible, or the occupant of property upon which there exists any condition deemed to be a blight or other violation of this Ordinance, shall be notified in writing to remove or eliminate such blight or other conditions from the property within fourteen (14) days after service of the notice upon him/her. Such notice shall be made personally or by certified mail, return receipt requested, or in any other manner designed to provide reasonable notice of the violation to the Owner or Occupant

Additional time may be granted by the enforcement officer where efforts to remove or eliminate such causes of blight or blighting factors are in progress.

- C. Failure to comply with such notice within the time allowed shall constitute a violation of the Ordinance.
- D. A person responsible for violation of this Ordinance, owner or occupant, shall be guilty of a Civil Infraction and shall be subject to a civil penalty as provided pursuant to Public Acts of 1961, No. 236, Section 8701, et seq., as amended by Public Acts of 1994, No. 12, Section 1, and as codified at MCL 600.8701, et seq.
 - 1. First offense, \$100.
 - 2. Second offense within one (1) year, \$150.
 - 3. Third offense and subsequent offenses within one (1) year, \$200.

For purposes of computing the one (1) year period, time shall run from the date of the first offense.

Each fourteen (14) day period that a violation continues to exist shall constitute a separate offense.

- E. For purposes of this Section 11 of this Ordinance, the owner of any property upon which a violation of this Ordinance is found shall be deemed to be the person or entity identified as any such owner on the tax roll of Munising Township, and where there may be more than one such owner, notice to any one owner shall be deemed to be notice to all such owners.
- F. In addition to the fines and penalties specified for violation, the Township may seek to enforce compliance with the terms and provisions of this Ordinance by equitable or injunctive relief under the authority of MCL 600.8727 and MCL 600.8302, as well as any and all remedies or measures available to it by other statute, ordinance, resolution, regulation or civil or criminal law.

SECTION 12
SAVING CLAUSE

Should any section, clause or provision of this Ordinance be declared by any court to be invalid, the invalid provisions shall not affect the validity of the remaining portions of this Ordinance or any part other than the part so declared to be invalid.

SECTION 13
REPEALING CLAUSE

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, including Ordinance 1987-1, as amended.

SECTION 14
EFFECTIVE DATE

This Ordinance shall take effect on May 1, 2017. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Approved by the Munising Township Board at a Regular Board Meeting held on May 1, 2017.

Motion made for approval by: Clerk Willson

Second: Trustee Decet

Ayes: Howard, Willson, Decet, Graves

Nays: 0 Absent: Balko

Motion declared passed by the Munising Township Supervisor Howard.

By: Patty Willson May 1, 2017
Patty Willson, Munising Township Clerk Date

Appeared for publication on: May 10, 2017 in the Munising News.