

Richfield Township
Blight Elimination Ordinance No. 22

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Richfield Township, Roscommon County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by act 344 of the Public Acts of 1945, as amended.

THE TOWNSHIP OF RICHFIELD, ROSCOMMON COUNTY ORDAINS:

Section 1: Title:

This ordinance shall be known and cited as the Richfield Township Blight Elimination Ordinance.

Section 2: Purpose:

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in Richfield 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 3: 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 Richfield Township owned, leased, rented or occupied by such person, firm or corporation.

Section 4: Prohibited uses and/or activities:

- 4.1 In any area, the storage upon any property of inoperable motor vehicle(s), except in a completely enclosed building or except as hereinafter set forth in this ordinance. For the purpose of this ordinance, the term “inoperable motor vehicle” shall include any motor vehicle (or portion of a motor vehicle) which does not bear a valid registration or plate as required by the Michigan Vehicle Code or which by any reason of dismantling, disrepair, or other cause is incapable of being propelled under its own power, or is unsafe for operation on the streets and highways of this State

due to inability to comply with the Michigan Vehicle Code. This section of the ordinance shall not apply:

- A. On any premises duly open, operating and licensed by the State of Michigan for automobile repair, in which case an unlicensed vehicle may be stored outside on the property for a period not to exceed 30 days.
 - B. For any property licensed by the State of Michigan for auto sales, an unlicensed vehicle being offered for sale to the general public may be maintained on the property, so long as the vehicle is operable and has all of its major component parts attached.
 - C. On subdivisions lots or property of one acre or less, one unlicensed motor vehicle may be stored on the property, subject to the following conditions:
 - 1. Such vehicle must be stored so that it is screened from the road.
 - 2. Such vehicle must not be stored within 10 feet of any sideline or back line of the property.
 - D. On subdivisions lots or property of more than one acre, up to two unlicensed motor vehicles may be stored on the property, subject to the following conditions:
 - 1. Such vehicles must be stored so that it is screened from the road.
 - 2. Such vehicles must not be stored within 10 feet of any sideline or back line of the property.
- 4.2 In any area, the storage upon any property of building materials unless there is in force a valid building permit issued by Richfield Township building department for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include but shall 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. Any exception to this provision shall be neatly stacked and covered (by a tarp or similar covering). Building materials in an area not to exceed 16 feet x 16 feet, subject to the following:

- A. Such materials shall be stored so they are screened from the road.
 - B. Such building materials must not be stored within ten feet of Any sideline or back line of the property.
- 4.3 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 for a period not to exceed 15 days. The term “junk and trash” shall include without limitation, the following: Used articles or used pieces of: iron, scrap metal, automobile bodies or Parts or parts of machinery or junked or discarded machinery, furniture, Appliances, mobile homes not meeting the minimum standards for Inhabitation by humans, used lumber which may be used as harborage for rats, ashes, garbage, industrial by-products or empty waste cans, food containers, bottles, crockery, utensils of any kind, boxes, barrels and all Other articles customarily considered trash or junk and which are not housed in a completely enclosed building.
- 4.4 In any area, the existence of any blighted structure including, without limitation, any dwelling, garage or out building, warehouse, or any other structure or part of any structures which because of fire, wind or other natural disaster, or physical deterioration, demolition or partial demolition when said demolition is not carried out within a reasonable period of time, is no longer habitable as a dwelling, or useful for the purpose for which it may have been intended, or has uncovered openings which may provide unrestrained access to enter the structure.
- 4.5 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 animals, vandals, or other unauthorized persons.
- 4.6 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 Richfield Township building department and unless such construction is completed within a reasonable time.

Section 5: Enforcement and Penalties:

This ordinance shall be enforced by such persons who shall be so designated by the Richfield Township Board.

Section 6: Penalties

The sanction for a violation which is a municipal civil infraction shall be a civil fine in the amount as provided by this Ordinance or any ordinances, plus any costs, damages, expenses, and other sanctions, as authorized under chapter 87 or Act No. 236 and the Public Acts of 1961, as amended, and other applicable laws.

- a. Unless otherwise specifically provided for a particular municipal civil infraction violation by this Code or any ordinance, the civil fine for a violation shall be established by the Township Board, plus costs and other sanctions, for each infraction.
- b. Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of this Code or any ordinance. As used in this Section “repeat offense” means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision (i) committed by a person within a six (6) month period (unless some other period is specifically provided by any ordinance) and (ii) for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided by this Code or any ordinance for a particular municipal civil infraction violation, the increased fine for a repeat offense shall be as defined by the Township Board.

Section 7: Public Nuisance Per se

Any material violation of this Ordinance is considered a public nuisance per se. Use of premises or land which is in violation of any of the provisions of this chapter, is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

Section 8: Severance Clause:

Each section or portion of a section of this ordinance shall be deemed to be severable and should any section, paragraph or provision herein be declared by the court unconstitutional or invalid, such holding shall not affect the validity of this ordinance as whole or any part hereof, other than that part so declared to be unconstitutional or valid.

Section 9: Effective Date and Adoption:

This ordinance shall become effective thirty (30) days after its publication as required by law.

This ordinance was adopted by the Township Board of Richfield Township, Roscommon County, Michigan at a regular meeting thereof held on December 21, 2004.

CERTIFICATE

STATE OF MICHIGAN

COUNTY OF ROSCOMMON

I, the undersigned, being the duly elected, qualified and acting Township Clerk of the Township of Richfield, County of Roscommon, State of Michigan, do hereby certify that annexed hereto is a true, complete and correct copy of an ordinance duly adopted by the Township of Richfield, at a regular meeting thereof duly called and held on the 21st day of December, 2004 the original of which is recorded in the Book of Ordinances of the Township of Richfield.

I do hereby further certify that public notice of said meeting was given in the manner required by law, including the Open meetings Act, 1976 PA 267, including in the case of a rescheduled meeting notice by publication or posting at least 18 hours prior to the time set for the meeting, and that the meeting was held and conducted in compliance with the provisions of said Act.

I do hereby further certify that the Township of Richfield maintains a township office open to the public during regular hours on each business day, and that the book of Ordinances is readily available to the public at the Township office.

I do hereby further certify that said ordinance was published, within thirty (30) days after the passage thereof, by causing a true, correct and complete copy thereof to be inserted in the Roscommon Herald-News, a newspaper circulating within the Township of Richfield.

I do hereby further certify that within one (1) week after the publication of the said ordinance as aforesaid, I duly recorded said ordinance in the Book or Ordinances of the Township of Richfield, together with the date of the passage of said ordinance, the names of the members voting thereon and how each member voted.

I do hereby further certify that I have duly certified, under the said ordinance in a blank space provided therefor in the Book of Ordinances of the Township of Richfield, the date of publication of said ordinance, and name of the newspaper in which publication was made; and that annexed thereto is a true, correct and complete copy of such certificate as contained in the Book of Ordinances of the Township of Richfield.

In Testimony Whereof, I have hereunto set my hand this 12th day of January, 2005.

Pamela J. Scott
Township Clerk

PROCEDURAL CHECKLIST

Date of Passage of Ordinance: December 21, 2004

Members Voting Aye:

Members Voting Nay:

Date of Publication of the Ordinance: January 9, 2005

Newspaper In Which Publication was Made: Roscommon Herald-News

STATE OF MICHIGAN

COUNTY OF ROSCOMMON

I, the undersigned, being the duly elected, qualified and acting Clerk of the Township of Richfield, County of Roscommon, and State of Michigan, do hereby certify that the foregoing ordinance was duly adopted by the Township Board of the Township of Richfield as hereinabove set forth; and that said Ordinance was duly published on the date indicated above by the insertion of a true copy thereof in the Roscommon Herald-News, which is a duly qualified newspaper circulating within the Township of Richfield.

In Testimony Whereof, I have hereunto set my hand this 12th day of January, 2005.

Pamela J. Scott
Richfield Township