

HAZELTON TOWNSHIP MICHIGAN

BLIGHT ORDINANCE

ORDINANCE NO. 2024- /

AN ORDINANCE to provide for the regulation and control of the storage, accumulation and disposition of junk, trash, rubbish, abandoned vehicles, wrecked, dismantled or unusable vehicles and building materials; the maintenance of blighted structures and other blighting factors of causes of blight and deterioration thereof, to provide penalties for the violation thereof.

The Township of Hazelton ordains:

Section 1 TITLE

This ordinance shall be known as "Hazelton Township Blight Ordinance".

Section 2 DEFINITIONS

1. The term "junk" shall include, without limitation, parts of machinery or motor vehicles, broken and unusable furniture, stoves, refrigerators or other appliances, remnants of wood, metal or any other castoff material of any kind, whether or not the same could be put to any reasonable use.
2. The terms "junk motor vehicles" shall include, without limitation, any vehicle is not licensed for use upon the highways of the State of Michigan for a period in excess of 10 days and shall also include, whether licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of ten (10) days; provided that there is excepted from this definition unlicensed, but operative, vehicles which are kept as the stock in trade of a regularly licensed and established new or used automobile dealer or other motorized vehicle; provided, further such vehicles are accepted as are upon the premises of a motor vehicle repair garage.
3. The term "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 owner or occupant of the property, or for a period of 48 continuous hours or more after the consent of the owner or occupant of the property has been revoked.
4. The term "blighted structure: shall include any structure of part of a structure which because of fire, wind, natural disaster, or physical deterioration, is no longer habitable, or useful for its intended purpose or has become a threat to the health, safety and welfare of the community.
5. The term "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 constructing any structure.

6. The term "person" shall include all natural persons, firms, co-partnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves or by a servant, agent or employee shall except as herein otherwise provided, be equally liable as principals.

7. The terms "trash" and "rubbish" shall include any and all forms of debris not herein otherwise classified.

Section 3 REGULATIONS

1. It is hereby determined that the storage or accumulation of trash, rubbish, junk, junk vehicles, abandoned vehicles, building materials, and the maintenance of blighted structures upon any private property within the Township of Hazelton tends to result in blighted and deteriorated neighborhoods, the spread of vermin and disease, the increase in criminal activity, and therefore is contrary to the public peace, health, safety and general welfare of the community.
2. It shall be unlawful for any person to store, or to permit the storage or accumulation of trash, rubbish, junk or abandoned vehicles on any private property in the Township except within a completely enclosed building or upon the premises of a property zoned or legally operating as a licensed or approved junk dealer, junk buyer, dealer in used auto parts, dealer in second hand goods or junk operator of an automobile repair garage and/or automobile wrecker business.
3. It shall be unlawful for any person to keep or maintain any blighted structure(s) within the Township.
4. It shall be unlawful for any person to store or permit the storage or accumulation of building materials on any private property, except in a completely enclosed building or except where the building materials are part of the stock or trade or business located on the property, or except when the materials are being used in the construction of a structure on the property in accordance with a valid building permit issued by the Township and timely completed.

Section 4 SANCTIONS

If the properly charged Township official finds that any property within the Township is being used in violation of this ordinance, the owner and/or occupant shall receive a civil infraction or be subject to any other action chosen by the Township.

If the properly charged Township official determines that a situation causes or will cause an immediate, imminent and/or impending threat to the health, safety and welfare of the community, the Township official may proceed to abate, re-mediate, or otherwise eliminate the offensive condition and assess any costs incurred by the Township, including attorney's fees and other costs, against the real property and upon the tax roll to be collected in a manner similar to other properly assessed property taxes and/or take any other in personae action to collect the accrued amounts expended by the Township. Interest will accrue on all assessed costs at the legally applicable rate. At the discretion of the properly charged Township official and based upon circumstances, the Township official may make a reasonable effort to notify the owner/occupant with no more than thirty (30) days to abate, re-mediate, or otherwise eliminate the offensive conditions(s).

A violation of this ordinance shall be a civil infraction subject to the following civil fines:

1st Violation: \$100

2nd Violation and any subsequent violations: \$500

Section 5 SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and should any provision, section, or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect or invalidate the remainder of such Ordinance which shall continue in full force and effect.

Section 6 EFFECTIVE DATE

This ordinance shall take effect upon its publication and all ordinances or any part of any ordinance in conflict with this ordinance shall be repealed.