

**CHARTER TOWNSHIP OF REDFORD
ORDINANCE NO. 346**

AN ORDINANCE TO AMEND REDFORD CHARTER TOWNSHIP CODE OF ORDINANCES TO ADD TO CHAPTER 38 ARTICLE V SECTION 93 TO 96 TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS OR CAUSES OF BLIGHT WITHIN CHARTER TOWNSHIP OF REDFORD, WAYNE COUNTY, MICHIGAN; TO PROVIDE FOR THE ENFORCEMENT HEREOF; AND TO PROVIDE PENALTIES FOR THE VIOLATION HEREOF.

THE CHARTER TOWNSHIP OF REDFORD, WAYNE COUNTY, MICHIGAN, HEREBY ORDAINS:

Sec. 38-93 Purpose

It is the purpose of this article to prevent, reduce, or eliminate blight or potential blight in the 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 the Township.

Sec. 38-94 Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings respectively ascribed to them in this section:

Accessory structure means detached garage, shed, fence, or wall.

Defined bed means an area that is separate from lawn grass.

Firewood means any lumber, timber, trees, branches, or wood byproducts intended to be burned.

Graffiti means any paint, spray paint, pigment, or similar means to injure, deface, or destroy the property of another, including the making of any drawing, inscription, design, scribbling, motto, picture, or other marking commonly referred to as graffiti

Illness means any disease or abnormal condition or disorder which does or could threaten or afflict the health, safety, and welfare of the public, including but not limited to such illnesses as avian influenza, chronic wasting disease, Lyme disease, rabies, tuberculosis, and West Nile virus or any other scientifically recognized disease, abnormal condition, or disorder.

Nuisance means an interference with the public's or a person's health, safety and welfare or the quiet enjoyment of his or her property.

Ornamental grass means any type and variety of grass(es) which is typically used as accent in landscape design. Any ornamental grass must be confined to defined beds that separate the boundaries of the bed from lawn grass.

Parking lot means all areas set aside or designed for the parking of motor vehicles or the loading and unloading of motor vehicles, and includes driveways and all supplementary areas.

Private means not open to the public and intended for the use of the resident or his or her immediate family and guests.

Personal Property is movable property. It's anything that can be subject to ownership, except land.

Proprietor/Owner/Occupant means every owner, lessee, tenant or other person having right to possession of all or part of any buildings, grounds, lots, or parcels of land covered under this article. Where there is more than one (1) such person, all shall be jointly and severally obligated by the terms of this article.

Public means open to members of the public and intended for the use of the public, regardless if such use is free of charge or paid for.

Real Property is immovable property, its land, and anything attached to the land such as buildings or structures.

Stagnant water means any standing, stale, disused or nonflowing water, whether trapped in human artifacts or natural containers (such as discarded bird baths, buckets, cans, faucets, gutters, plant pots, swimming pools, tires, roots, tree trunks, or leaf sheaths) that promotes or has the potential of promoting illness and the spread thereof.

Swimming pool means any outdoor artificially-constructed pool, spa, or hot tub located either above or below ground, built-in, or removable, intended for swimming, wading, or bathing, having a depth of two feet or more at any point. This includes private and public swimming pools.

Unsanitary means any condition that is unhealthy or unhealthful and tending to harbor or spread illness or disease.

Vermin means rats, mice, snakes, skunks, raccoons, and opossums.

Sec. 38-95 Causes of Blight, Blighting Factors Enumerated

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 undesired neighborhoods which has a negative effect on the health, safety, and welfare of the citizens and the Township. 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/land in Redford Township owned, leased, rented, managed, or occupied by such persons:

- (1) *Junk vehicles.* The storage upon any property of junk vehicles except in a completely enclosed building. It shall be unlawful within the Township to park, keep, maintain, accumulate, or permit to remain on any private premises for more than 72 hours any motor vehicle which does not display a current state registration plate or any inoperable or dismantled motor vehicle or parts of motor vehicles unless the motor vehicle or motor vehicle parts are stored in a garage.
- (2) *Building materials.* Except as otherwise stated herein, the storage upon any property of building materials for more than 72 hours unless there is in force a valid building permit issued by the Township for construction upon the property and the 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. Notwithstanding the foregoing, building materials may be stored outside upon private property, based upon a valid building permit, for a period in excess of 60 days; but such building materials shall:
 - (i) be stored not lower than 18 inches above the ground;
 - (ii) be placed not closer than two (2) feet from any property line;
 - (iii) be stacked in a neat and orderly manner;
 - (iv) not be rotted or otherwise deteriorated; and
 - (v) not be infested with insects or harboring animals.
- (3) *Junk, trash, and rubbish.* The storage or accumulation of junk, rubbish, or refuse of any kind, except as provided herein. The term "junk" shall include parts of machinery or motor vehicles; unused stoves or other appliances stored in the open; remnants of wood, metal, or any other materials or other cast-off materials of any kind whether or not the same could be put to any reasonable use. The refuse shall be stored in suitable containers so as to protect it from wind, rain, and animals and shall be shielded from view of adjacent areas except when placed at the property line for removal on the day of removal. In any area used for business or multiple-residential purposes, domestic refuse originating on such premises may be stored for a period not to exceed seven (7) days in such a manner as not to create a nuisance. The refuse shall be stored in appropriate watertight, commercial-type containers shielded from view of adjacent areas. The proprietor shall provide for weekly removal of all waste, trash, rubbish, or refuse of all kinds 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 rights-of-way adjoining the premises, free of junk, trash, rubbish, debris, or refuse of any kind and shall provide containers for discards for public use. After containers are emptied they must be removed from the curb by the evening of the collection day.

- (4) *Protective treatment.* All exterior surfaces including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained, weather resistant, and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit further rust and corrosion. Oxidation stains shall be removed from exterior surfaces.
- (5) *Vacant buildings.* The existence of any vacant building not kept securely locked, windows kept glazed, or neatly boarded up and otherwise protected to prevent entrance thereto by vandals or other unauthorized persons.
- (6) *Incomplete structures.* The existence of any partially completed structure is a cause of blight or blighting factor unless such structure is in the course of construction in accordance with a valid and existing building permit issued by the Township, the structure and property are being properly maintained, and the construction is continuing and completed within the time prescribed by the building permit and applicable rules and regulations.
- (7) *Swimming pools.* Any and all private or public swimming pools and pool equipment that contributes to health, safety, or welfare hazards, or constitutes a nuisance, unsanitary condition, cause of illness, or potential cause of illness, shall be abated, removed or repaired.
- (8) *Stagnant water.* Any and all stagnant water that contributes to health, safety, or welfare hazards or constitutes a nuisance, unsanitary condition, cause of illness or potential cause of illness, shall be abated, removed, or drained.
- (9) *Firewood.* Any and all firewood stored outside and upon any property unless said firewood:
 - (i) is stored not lower than twelve (12) inches above the ground;
 - (ii) is placed not closer than one (1) foot from rear property line;
 - (iii) is stacked in a neat or orderly manner;
 - (iv) is stacked with dimensions not exceeding four (4) feet in height as measured from grade, not to exceed two (2) single-face cords or one-half (1/2) of a full cord in amount
 - (v) is stored in the rear yard
 - (vi) is not rotted or otherwise deteriorated; and
 - (vii) is not infested with insects or harboring animals.
- (10) *Noxious weeds and dense growth of shrubbery, brush, grass or other unhealthy growth.* It shall be unlawful for the owner or occupant or any person having charge of any lot or parcel of land within the Township to permit or allow to grow thereon vegetation of any kind scattered among which are noxious weeds such as Canada thistles, wild carrot, ox-eye daisies, wild mustard, ragweed, goldenrod, bindweed, perennial sowthistle, hoary alyssum, poison ivy, poison sumac or any other varieties which are recognized as inducing hay fever, rose fever, or other diseases or being in any other way deleterious to the health and comfort of the community. It shall be unlawful to permit or allow growth of weeds or lawn grass which exceeds six (6) inches in height. Any growth of shrubbery or brush because of height or density that is declared a nuisance.
- (11) Any conditions which provides harborage for or attracts vermin including failure to clean up and dispose of animal waste.

- (12) All disagreeable or obnoxious odors and stench as well as conditions, substances or other causes which give rise to emission or generation of such odors and stench breaching surrounding properties.
- (13) Any carcasses of animals or fowl not disposed of within 72 hours of discovery or notification from the Township.
- (14) Any graffiti on real property or personal property.
- (15) Accessory structures shall be maintained structurally sound and in good repair.
- (16) Any accumulation of leaves that creates a public hazard on walkways, yards, or in streets. Leaves shall be removed and disposed of in a timely manner. Leaves shall not be deposited into streets. Leaves shall be disposed of in proper yard waste containers.

Sec. 38-96 Enforcement and Penalties

The Department of Public Safety and the building and inspection services division and their deputies, agents, inspectors, and any other such person designated by the Township Board, are hereby authorized to enforce the provisions of this article.

- (1) Whenever any officer or official of the Township as listed above shall determine that there exists a blighting factor as determined in this article, such officer or official shall cause a notice to be served on the owner/occupant/management company or corporation of the premises on which the blighting condition exists, requiring such person to abate the condition within seven (7) days from the date on said notice. Service of the notice shall be made:
 - (a) By delivering the notice to the *Proprietor/Owner/Occupant* personally or by leaving it at his or her residence, office, or place of business with some person of suitable age and discretion;
 - (b) By mailing the notice by certified mail to such *Proprietor/Owner/Occupant* at his last known address; or
 - (c) If the *Proprietor/Owner/Occupant* is unknown, by posting the notice in some conspicuous place on the premises for five (5) days.
- (2) Any person who shall violate any provision of this chapter shall be deemed responsible for a municipal civil infraction, and upon an admission of, or a finding of responsibility, shall be punished by a fine to be passed by resolution of the Township Board of Trustees, from time to time, and posted in the Municipal Civil Infraction Bureau. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such conditions within the time indicated on said notice; and, when not otherwise specified, each seven (7) days that prohibited conditions are maintained shall constitute a separate offense.
- (3) Whenever a person fails to abate a blighting condition in accordance with the notice required in this section the Township shall issue an appearance ticket to the property owner/occupant. If the person fails to abate the blight after a finding by the court a representative of the Township may to the extent permitted by law abate the blight and the cost thereof shall be charged against the *Proprietor/Owner/Occupant* to be paid by the *Proprietor/Owner/ Occupant* or management company. All expenses incurred by the Township in the performance of any work performed under the provisions of this article shall be reimbursed by the owner/property occupant of such lot or parcel of land. The department of public services is hereby authorized and directed to keep an accurate account of all expenses incurred, including but not limited to administrative, contractors, cost of publication, and legal fees, if any. If not paid within 30 days from the date of the Township's billing statement, the expense may be assessed against the property by placement on the tax roll for collection in the same manner and subject to the same interest and penalties applicable to delinquent special assessments.

If a proprietor/owner/occupant receives three or more tickets for the same offense, the fourth and all subsequent tickets issued in a 12-month period shall be misdemeanors and upon conviction shall be punishable by up to 90 days in jail and/or fines as determined by the Court.

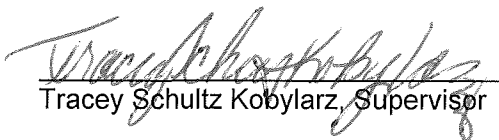
- (4) When any condition constitutes an emergency hazard to the health, safety, and welfare of the public, and where the delay of notification would serve to further endanger the public, the Township may enter upon the buildings or grounds without notification to the *Proprietor/Owner/Occupant* as provided for in subsection 38-96(1) and perform the work required to abate, remove, repair, or drain the condition. Further, the cost thereof, including reasonable attorney fees, if any, shall be paid by the *Proprietor/Owner/Occupant* and be secured by a lien on the property; and, if not paid within 30 days from the date of the Township's billing statement, may be assessed against the property by placement on the tax roll for collection in the same manner and subject to the same interest and penalties applicable to delinquent special assessments.
- (5) The *Proprietor/Owner/Occupant* of a commercial building shall be equally responsible for maintaining the building in a neat, clean, and structurally sound manner and to prevent the premises, including the adjacent public right-of-way, from becoming blighted or becoming a nuisance as defined in this article. The provisions contained in this section shall be equally applicable to empty, unused, or unrented commercial buildings; and, in the case of vacant commercial buildings, shall be kept securely locked at all times. The *Proprietor/Owner/ Occupant* or management company of commercial buildings is subject to the same violations and penalties as described in this section.

ADOPTED, APPROVED, AND PASSED by the Board of Trustees of the Charter Township of Redford this 10th day of October 2017.

17:145 MOTION BY TAYLOR, SUPPORTED BY JACKSON, to approve 2nd Reading of Ordinance #346: an ordinance to amend the Charter Township of Redford Code of Ordinances to add to Chapter 38 Article V Section 93-96 to prevent, reduce, or eliminate blight, blighting factors, or causes of blight within the Charter Township of Redford, Wayne County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof

AYES: Taylor, Cavanagh, Christie, Kangas, Jackson, Kobylarz
NAYES: None
ABSENT: Bonarek

Motion carried 6-1, with one absent.


Tracey Schultz Kobylarz, Supervisor


Garth J. Christie, MMC, Township Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the Township Board Trustees of the Charter Township of Redford at a regular Board of Trustees Meeting held in the Township Hall in said Township on the 10th day of October 2017.


Garth J. Christie, MMC, Township Clerk

1st Reading held on:
2nd Reading published on:
2nd Reading and Adoption by Township Board on:

September 26, 2017
October 8, 2017
October 10, 2017