

Ordinance #1335

An ordinance of the City of Lansing, Michigan, to amend Chapter 1060 of the Lansing Codified Ordinances by amending Section 1060.08 to clarify the procedures for nuisance abatement by adding the Code Official as authorized to abate.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1060, Section 8, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

1060.08. Nuisances.

- (a) *Removal or abatement.* Independent of and in addition to any other violations of this chapter, any solid waste, recyclable material and/or yard waste accumulated in a manner which is a public nuisance; any scattered solid waste, rejected items, recyclable material and/or yard waste; broken or open collection containers; yard waste collection or recyclable material containers in excess of 30 pounds; collection containers containing unacceptable materials; or collection containers placed in front of a residential site of generation contrary to any collection procedure referred to in Section 1060.05; or any bulk item accumulated beyond the time frame identified in Section 1060.12, or unacceptable bulk item or bulk item placed in front of a residential site of generation contrary to collection procedures referred to in Sections 1060.14 and 1060.15, is hereby declared to be a public nuisance and is subject to removal or abatement. If a violation of this chapter is not corrected within seven days after notice is given in the manner provided in Section 1060.07 or 1060.16, respectively, then the City, through its Public Service Director—~~or authorized City official,~~ **the Code Official, as defined in the International Property Management Code adopted by the City of Lansing pursuant to Ordinance 1460.01, or either of their agents or designees,** may remove or abate the nuisance.
- (b) *Expenses.*
- (1) The complete expense, including the administration costs to the City, incurred in the removal, abatement or preparation of materials for recycling shall be the sole responsibility of the owner or party in interest of the property on which or in front of which the condition existed, and shall be paid by the owner or party in interest in whose name the property appears on the City's latest real property tax assessment records. The expense shall be a penalty for income tax purposes.
 - (2) The complete expense incurred shall be a lien against the real property and shall be reported to the City Assessor, who shall assess the same against the property on which or in front of which the nuisance was located.
 - (3) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first class mail at the address shown on the records. If he or she fails to pay the same within 30 days after mailing, ~~by the City Assessor,~~ of a notice of the amount thereof, the City Assessor shall add the same to the next tax roll of the

City, and such amount shall be collected in the same manner in all respects as provided by law for the collection of taxes by the City.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire December 31, 2033.