

**Chapter 14 ENVIRONMENT
BLIGHT ORDINANCE #207 Division V
Replaces Ordinance #60**

New Blight Ordinance Language

Sec. 14-371: Purpose

- A. The purpose of this section is to protect, promote and provide for the health, safety, sanitation and general welfare of the citizens of Groveland Township and to suppress disease and contamination by preventing, eliminating and removing blight and/or blighted conditions within Groveland Township.
- B. It shall be the duty of every owner, possessor, occupant, tenant or user of any real or personal property within Groveland Township, whether on public or private property, including, but not limited to, sidewalks in their entirety and public streets and alleys to their centers, to provide for the abatement, elimination or removal of any and all blight and/or blighted conditions as listed in Section 14 of the Code of Groveland Township.

Sec. 14-372: Standards of blight and blighted conditions.

A. Structures, properties, uses and activities in violation of the following standards are defined as blight and/or blighted conditions. On and after the effective date of this section, no owner, possessor, occupant, tenant or user of any real or personal property shall cause, allow, permit, keep or maintain any such blight or blighted conditions upon any land or premises in the Groveland Township owned, possessed, occupied, leased, rented or used by said owner, possessor, occupant, tenant or user.

(1) Front yards.

(a) Front yards shall comply with the Township's zoning and ordinance requirements and shall not be used for parking purposes, except as permitted in the Zoning Code.

(b) Recreational equipment shall not be placed or located in any front yard for a period longer than seven (7) days. Household furniture that has been designed for interior use shall not be placed on front porches or in front yards. This section shall not prohibit the incidental use of lawn or porch furniture on front porches or in front yards.

(3) Deteriorated vertical members. No dwelling, building or other structure shall be maintained in such a condition that it will create deteriorated, crumbling, loose, rotten, split or buckled walls, partitions, parapets or vertical supports.

Fireplaces or chimneys which list buckle or settle due to defective materials or deterioration shall be prohibited.

(4) Motor vehicles: Storage of the motor vehicle on public or private property out-of-doors shall be prohibited when the motor vehicle is not licensed for use upon the public highways of Michigan.

(5) Junk, rubbish, garbage and refuse. The accumulation of junk, rubbish, garbage or refuse, out-of-doors on public or private property or in yards or easements is prohibited. As used in this subsection:

GARBAGE: By-products of foods or food processing.

JUNK: Parts of machinery, motor vehicle parts, vehicles, construction machinery or unused appliances, metals or materials.

REFUSE: Cement pieces or commercial wastes.

RUBBISH: Waste materials, including papers, boxes, cardboard, or plastics. Rubbish does not include grass clippings, leaves, garden and flower stock used for compost for garden fertilizer. (Composting is allowed)

(6) Residential areas in nonresidential districts. In any area zoned other than residential by the Zoning Code, the causes of blight or blighting factors stated herein apply to any structure that is utilized for residential purposes, unless such uses are incidental to, and necessary for, the carrying on of any business or occupation lawfully being conducted upon the premise involved.

B. Where a provision of this section is found to be in conflict with the standards or provisions of any zoning, building, fire, safety or health ordinance or code of the Township existing on the effective date of this chapter, the provision which establishes the higher standard for the promotion and protection of the safety and health of the people shall prevail.

Sec. 14-373: Supervision and Enforcement

- A. The Township Supervisor and Board designate therein that the Township Supervisor should be responsible for the administration, supervision, and implementation of the enforcement of this Section, and the Township Supervisor may designate one or more persons as enforcement officers to enforce the provisions of the section.

Sec. 14-374: Violations

- A. Upon observing a violation of the standards established under this Section the enforcement officer shall issue and serve upon the owner, possessor, lessee, occupant, tenant or user of any real or personal property either a municipal civil infraction violation notice or a municipal civil infraction citation.
- B. The fine for a first violation municipal civil infraction violation notice shall be waived if the owner, possessor, lessee, occupant, tenant or user of any real or personal property admits responsibility for the municipal civil infraction violation notice and abates the violation within five days of the issuance of the notice and has the abatement verified by an enforcement officer. This waiver provision shall only apply to the fine for a first municipal civil infraction violation notice.
- C. Should the owner, possessor, lessee, occupant, tenant or user of any real or personal property fail or refuse to admit responsibility for the municipal civil infraction violation notice and abate the violation within five days of the issuance of the municipal civil infraction notice, the owner, possessor, lessee, occupant, tenant or user of any real or personal property shall be issued a municipal civil infraction citation by the enforcement officer and the violation will be adjudicated by the 52-2 District Court.
- D. Should the owner, possessor, lessee, occupant, tenant or user of any real or personal property fail or refuse to admit responsibility for the municipal civil infraction violation notice and pay the fine stated on the notice within three days of the issuance of the notice, the owner, possessor, lessee, occupant, tenant or user of any real or personal property may be issued a municipal civil infraction citation by the enforcement officer and the violation will be adjudicated by the 52-2 District Court.
- E. Notwithstanding the other provisions of this Section, the enforcement officer shall issue a municipal civil infraction citation, as opposed to the municipal civil infraction violation notice, under the following circumstances:

 - 1. When the owner, possessor, lessee, occupant, tenant or user of any real or personal property so requests; or
 - 2. When, in the enforcement officer's exercise of judgment and discretion, the violation is of such a nature so as to be substantially serious, chronic and/or willful.

- F. No person shall molest, hinder or interfere with an enforcement officer while he or she is engaged in carrying out the provisions of this Section.
- G. The enforcement officer and his or her authorized representatives, at the request and direction of the Township Treasurer, or his or her designee, are hereby empowered to enter upon any premises in the Township for the purpose of removing, destroying or disposing of any junk motor vehicle, building materials or accumulation of junk, trash, rubbish, garbage or refuse thereon, when the real property owner or persons having any interest in personal property thereon have not, within the three-day civil infraction violation notice period, remedied the blighted condition or requested that the enforcing officer issue a civil infraction citation, as provided for in the ordinance.
- H. The Township Treasurer, at the request and direction of the Township Supervisor, or his or her designee, may abate any such public nuisance without giving notice if the public health, safety or welfare requires immediate attention.
- I. No person shall molest, hinder or interfere with the Township Treasurer or his or her authorized representatives while they are engaged in carrying out the provisions of this section.
- J. The enforcement officer shall keep an accurate account of the expenses incurred by his or her Department with respect to each parcel of land in carrying out the provisions of this section and shall make a sworn statement of such account and present the same to the Township Treasurer. The Township Treasurer shall immediately prepare and send an invoice to the last known owner, as reflected by the most current tax roll, for the cost of such work and improvements to said property in accordance with the statement of the enforcement officer. The Township Treasurer shall add to the cost, as reported by the enforcement officer, the ten-percent penalty or such other penalty as may be provided for by the Township Ordinance to cover the cost of supervision and billing expenses. In the event that said invoice is not paid forthwith by the owner of record, the cost of such payment shall be charged against the premises and reported to the Township Assessor to be levied by him or her as a special tax or assessment upon the lot or premises. The special assessment shall be subject to review, after proper notice is given, as in all other cases of special assessment provided for by the Township Ordinance. When such tax is confirmed, it shall be a lien upon the premises and shall be collected in the same manner as other Township taxes, or, in the alternative, the Township may file suit to collect the same.

- K. Unless otherwise designated herein, whoever violates any of the provisions of this section shall be responsible for a municipal civil infraction, and subject to the payment of a civil fine determined in accordance with the following schedule:
- (1.) Each violation within a two-year period: \$50.
- L. The two-year period referenced in Subsection K shall be determined as of the date of the first violation. For illustrative purposes only: if the first violation occurs on July 1, 1999, the two-year period shall be from July 1, 1999, to June 30, 2001.
- M. Whoever violates the provisions contained in Section 14-374(F) or 14-374 (I) shall be responsible for a municipal civil infraction, and subject to the payment of a civil fine in the amount of \$500.
- N. Each day that a violation of the standards established under Section 14-372 exists, occurs or continues constitutes a separate offense and shall be subject to the penalties or sanctions provided herein as a separate offense.
- O. Whoever violates this section shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized and provided for under Michigan law.

Adopted: October 14, 2014