

**AUGUSTA CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 17-03

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY AND GENERAL WELFARE UNDER THE AUTHORITY OF PUBLIC ACT 359 OF 1947 AND 246 OF 1945, AS AMENDED; TO PROVIDE FOR THE ELIMINATION, REDUCTION AND PREVENTION OF BLIGHT, BLIGHTING FACTORS, AND CAUSES OF BLIGHT WITHIN AUGUSTA CHARTER TOWNSHIP, WASHTENAW COUNTY, MICHIGAN; TO PROVIDE FOR ENFORCEMENT; AND TO ESTABLISH A PENALTY FOR VIOLATION.

THE CHARTER TOWNSHIP OF AUGUSTA ORDAINS:

SECTION 1: TITLE. This Ordinance shall be known and may be cited as the Blight Ordinance of the Charter Township of Augusta.

SECTION 2: PURPOSE. It is the purpose of this Ordinance to prevent, reduce or eliminate potential blight in the Township by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or may in the future exist in the Township.

SECTION 3: GENERAL PROHIBITION. No person shall maintain or permit to be maintained blight or any of the causes of blight or blighting factors identified in Section 4 of this Ordinance upon any property in the Township, owned, leased, rented or occupied by such person.

SECTION 4: BLIGHT AND CAUSES OF BLIGHT. 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 properties and neighborhoods.

- (1) In any area, except where specifically permitted by zoning or other applicable ordinance, the storage upon any property of junk automobiles, junk motor-driven vehicles, trailers in disrepair, contractor's equipment in disrepair, or boat hulls in disrepair, except in a completely enclosed building. For the purpose of this division, the terms "junk automobiles," "junk motor-driven vehicles," "trailers in disrepair," "contractor's equipment in disrepair," or "boat hulls in disrepair" shall include any such article which is not licensed for use upon the highways of the state or lakes and waterways; and shall also include, whether so licensed or not, any of the above enumerated articles which are inoperative.
- (2) In any area, except where specifically permitted by zoning or other applicable ordinance, the storage upon any property of building materials unless there is in force a valid building permit issued by the Township for construction upon such property, and the materials are intended for use in connection with such

construction, and except the temporary storage of building materials which are stored within an enclosed structure and are otherwise not of a nature to be unsightly or a cause of blight. 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 material used in the construction of any structure.

- (3) In any area, except as specifically permitted by zoning or other applicable ordinance, the storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in a rodent proof receptacle, in such a manner as not to create a nuisance. The terms "junk" shall include parts of machinery or motor vehicles, unused stoves or other unused appliances stored in the open, remnants of wood, metal or other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.
- (4) In any area, the existence of any building, structure or equipment or part of any structure or equipment which constitutes an unsafe structure or dangerous building as those terms are defined and understood under the International Property Maintenance Code or Section 139 of the Housing Law, PA 167 of 1917, as amended, being MCL §125.539, which definition is incorporated by reference as if fully stated herein.
- (5) The outside storage of mobile homes (other than those that are legally occupied and used as a dwelling), truck bodies, or semi-trailers either as vacant units or storage units.
- (6) In any area, the existence of any partially completed structure, unless such structure is in the course of completion in accordance with a valid and subsisting building permit and unless such construction is completed within a reasonable time.
- (7) In any area, the existence of any tree or other growth infected by disease, injurious insects, or other dangerous condition that detrimentally affects other trees, plants, or growths, or otherwise detrimentally affects the public health, safety and welfare.
- (8) Any well or cistern which is not sufficiently covered so as to prevent access thereto by any person or which is not fenced with a good and substantial fence of a height of not less than four (4) feet.
- (9) Any building or structure, or portion thereof, which is unoccupied and which is unguarded or open at any door or window or any other portal or opening that permits ingress, unless its windows are glazed and locked or boarded up, its doors are locked or boarded up to prevent ingress and all other portals are boarded and secured to prevent ingress.

- (10) Any land, building or structure which has thereupon any obstruction or hindrance of any sort which would be reasonably expected to interfere with the efficiency and use by any fire, ambulance or police protection vehicles or equipment, either upon or around the property, or any other, land, building or structure.
- (11) Any dwelling which does not have adequate facilities for the disposal of human excreta or other sewage.
- (12) Any dwelling or portion thereof, which is conducive to the harboring or breeding of rats, rodents or vermin.
- (13) Any building or structure, or portion thereof, which by reason of structural damage caused by fire, explosion, wind, rain or other natural disaster or by reason of vandalism or other intentional damage, or by reason of neglect, lack of maintenance, obsolescence, physical deterioration, dilapidation and the like is no longer reasonably and safely useful for the purpose for which it was originally intended.
- (14) Any building or structure, or any portion thereof, which constitutes a fire hazard or is dangerous to human life for any other reason not specifically listed herein.
- (15) Any building or structure, or any portion thereof, which due to any one or more, of the aforesaid conditions cannot be repaired, rehabilitated or completed, so as to abate its violation of this Ordinance, at a cost less than its State Equalized Value.

SECTION 5: NOTICE. This Ordinance shall be enforced by the Township Ordinance officer or such other persons as may be designated by the Board or the Township Supervisor. The owner, if possible, and the occupant of any property upon which the causes of blight or blighting factors set forth herein are found to exist, shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten days after service of the notice upon him or her. Such notice shall be served by first class mail addressed to the last known address of the owner of the property where the blighting factor or cause exists and to the occupant of the property if known. Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this Ordinance.

SECTION 6. PENALTY. Except as otherwise provided for in this Ordinance, any person, corporation, or other legal entity, including an officer, director, or employee, who violates any provision of this Ordinance, or who shall fail to do what is required by the terms of the Ordinance, is responsible for a municipal civil infraction and shall pay a civil fine of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) plus costs and attorney fees, and is subject to other sanctions as provided for under Chapter 87 of the Revised Judicature Act, P.A. 236 of 1961, being MCL '600.8701 et. seq., as amended.

SECTION 7. SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason by any court, it shall not affect any other part or portion hereof other than the part declared void or inoperable.

SECTION 8. REPEAL. Ordinance provisions that are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistencies, hereby repealed. This Ordinance specifically repeals and replaces Ordinance No. 138, as amended.

SECTION 9. SAVINGS CLAUSE. The repeal provided herein shall not abrogate or affect any offense committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation or prosecution occurring prior to the effective date hereof.

SECTION 10. PUBLICATION AND EFFECTIVE DATE. The Township Clerk shall cause this Ordinance to be published in the manner required by law. This Ordinance shall be effective as of the date of final publication of the Ordinance.

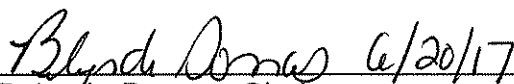
This Ordinance was duly adopted by the Augusta Charter Township Board at its regular meeting called and held on the 12 day of June, 2017, and was ordered given publication in the manner required by law.

First Reading: May 8, 2017

Second Reading/Passage: June 12, 2017

Publication Date: 1st May 14, 2017 Ann Arbor News, 2nd June 15, 2017 Ann Arbor News

Effective Date: June 18th, 2017



Belynda Domas, Clerk
Charter Township of Augusta



Brian Shelby, Supervisor
Charter Township of Augusta

CERTIFICATE


I, Belynda Domas, Clerk of the Charter Township of Augusta, Washtenaw County, Michigan, hereby certify that the foregoing constitutes a true and complete copy of Augusta Charter Township Ordinance No. 17-03, which was duly adopted by the Township Board of Augusta Charter Township at a regular meeting of said Board, held on June 12, 2017, after said ordinance had previously been introduced at a Regular Meeting of the Board held May 8, 2017, and published in the form it was introduced in accordance with P.A. 359 of 1947, as amended.

I further certify that Member Shelby moved for the adoption of said Ordinance, and that Member Howard supported said motion.

I further certify that the following Members voted for adoption of said Ordinance Burek, Domas, Howard, Knick, Ortiz, Shelby and that no Members voted against adoption of said Ordinance and that the following Members were absent or abstained from voting on the adoption of said Ordinance as indicated Chie, absent.

I further certify that after its passage the Ordinance was published in the Ann Arbor News on June 15, 2017, in accordance with P.A. 359 of 1947, as amended.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and that such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.



Belynda Domas, Clerk
Charter Township of Augusta

Dated: 6/20, 2017