

SPRINGVALE TOWNSHIP
EMMET COUNTY, MICHIGAN

BLIGHT ELIMINATION ORDINANCE
ORDINANCE NO. 2018010901

An Ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Springvale Township, Emmet County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. The Township of Springvale, Emmet County, ordains:

SECTION 1: PURPOSE

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

SECTION 2: INTENT

It is the intent of these regulations to establish reasonable guidelines and standards concerning the storage of materials and/or vehicles on properties, that if not regulated would have the potential to cause blight and devalue property. The exercise of these regulations, shall within reason, not:

- Interfere with the normal and good practice operations of farms, farm lands, or forest lands. This Ordinance does not apply as to motor driven equipment which is unlicensed but being used entirely for off-highway work on land zoned agricultural.
- Discourage the keeping and/or restoration of vehicles having antique or classic value, and other vehicles stored temporarily that are not in junk or salvage condition.
- Prevent normal good practice of fuel wood and/or lumber intended for building projects (new and used).
- Abrogate any other normal good practice use of property that is in character with the neighborhood area.

The exercise of these regulations in Springvale Township shall give full consideration to the property's neighborhood environment, the intention of the landowner with respect to materials stored, the period of time that the storage is to be maintained, the zoning classification of the property, the environmental features of the property and adjoining properties, the impact on tourism, and in general, the impact on the character of Springvale Township.

SECTION 3: CAUSES OF BLIGHT OR BLIGHTING FACTORS

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 neighborhoods. On and after the effective date of the 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 in Springvale Township owned, leased, rented or occupied by such person, firm or corporation.

A. JUNK AUTOMOBILES

The storage upon any property of junk automobiles (including tires), except in a completely enclosed building or shielded from public view by one or more of the following which has been approved by the Township: plantings, natural vegetation, topography or structure approved by the Township. For the purpose of this Ordinance, the term "junk automobiles" shall include any motor vehicle which is not licensed for use upon public roads and shall also include, whether licensed or not, any motor vehicle which is inoperative for a period of three (3) months or longer.

B. AUTOMOBILE PARTS, EQUIPMENT AND MACHINERY

The storage upon any property of any automobile parts (including tires), equipment or machinery in disrepair, boats or trailers in disrepair, except to the extent such items are kept in a completely enclosed building or are shielded from public view by one or more of the following which has been approved by the Township: plantings, natural vegetation, topography or structure approved by the Township.

C. BUILDING MATERIALS

In any area of Springvale Township the storage upon any property of building materials unless there is in force a valid Building Permit issued for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include but not be limited to, lumber, bricks, concrete, cement, cinder blocks, plumbing and drainage materials, electrical wiring or heating ducts or equipment, roofing materials, builder's hardware, or any other materials made to be used in constructing any structure. Neatly piled building materials, however, may be stored on property on a temporary basis, if the Township Ordinance Enforcement Officer determines in writing (1) that the materials, as stored, will not be unsightly or cause blight and (2) how long such materials can be stored at such property.

D. JUNK, TRASH AND RUBBISH

The storage or accumulation of junk, trash, rubbish or refuse of any kind, except in a completely enclosed building or completely shielded from view from adjoining properties or a public road by means of one or more of the following which has been approved by the Township: plantings, natural vegetation, topography or structure approved by the Township. The term "junk" shall include stoves, refrigerators or other appliances, furniture, cabinets, remnants of wood except firewood neatly stacked, metal or other cast off materials of any kind stored in the open whether or not such materials could be put to any reasonable use. Farm machinery in normal use in an area zoned agricultural is exempt from the provisions of this section.

E. INCOMPLETE BUILDING

The existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid existing building permit.

F. DAMAGED OR UNUSED BUILDINGS

The existence of any structure or part of structure which because of fire, wind, natural disaster, or physical deterioration, which in the judgment of the County Building Inspector is an unusable structure as defined in the State Building Code, and is no longer habitable as a dwelling or useful for any other purpose for which it may have been intended.

G. HOUSE TRAILERS, MOBILE HOMES, CAMPERS, OR RECREATIONAL VEHICLES

House trailers, mobile homes, campers, or recreational vehicles in disrepair or not in normal use for a period of one (1) year.

SECTION 4: ENFORCEMENT AND PENALTIES

A. This Ordinance shall be enforced by the Ordinance Enforcement Officer, acting under the authority of the Township Board, or by any other official designated by the Township Board.

B. The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 3 above is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 30 days after service of the notice upon such owner or occupant. Such notice may be delivered personally or sent by certified mail, return receipt requested. Additional time may be granted by the Township Ordinance Enforcement Officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

C. If the owner or occupant fails to comply with the notice to eliminate the offending blight within the times set forth in subparagraph B above, the Township Board may thereafter authorize issuance of a citation for violation of this Ordinance.

D. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not more than \$500.00, in addition to all other costs, damages, expenses, and other fees and remedies provided or allowed by law. Each day that a violation occurs shall be considered a separate violation.

E. The issuance of a citation for a municipal civil infraction shall not in any way limit the Township from seeking enforcement of this Ordinance in any other manner, including, but not limited to, an action to abate any nuisance created by a violation of this Ordinance and to recover any costs, expenses, damages, and fees, including attorney fees, that may be permitted or allowed by law in connection with such abatement and the enforcement of this Ordinance.

SECTION 5: EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after publication as required by law.

SECTION 6: SEVERABILITY

This ordinance and its various sections, subsections, sentences, phrases, and clauses are severable. If any section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

SECTION 7: REPEAL

All prior blight ordinances and any other ordinances or parts thereof, that are in conflict in whole or in part with any provisions of this ordinance as of its effective date are hereby repealed to the extent of such conflict.

Clerk's Certification

I hereby certify this Ordinance was adopted by the Springvale Township Board of Trustees at a regular meeting held on January 9, 2018, and that the vote was as follows:

FOR:	Tom Whipp	Aye
	Becky Fettig	Aye
	Marilyn Harris	Aye
	Dawn DeRue	Aye
	Patricia McCune	Aye

AGAINST: None

I further certify this Ordinance was published in the *Petoskey News-Review* on February 9, 2018.

Patricia McCune
Springvale Township Clerk