

Date Enacted: 08/04/2004

TOWNSHIP OF RAY
COUNTY OF MACOMB
ORDINANCE NO. 70
ANTI-BLIGHT ORDINANCE

Title

An Ordinance to provide for the regulation and control of the storage, accumulation and disposition of junk, trash, rubbish, abandoned boats, accessory vehicles and motor vehicles, wrecked, dismantled or unusable boats, accessory vehicles and motor vehicles and building materials, and other blighting factors or causes of blight and deterioration thereof, to provide penalties for a violation thereof and repealing any and all ordinances and/or resolutions in conflict therewith.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF RAY, MACOMB COUNTY,
MICHIGAN ORDAINS:

Section 1. Short Title.

This Ordinance shall be known and cited as the Ray Township Anti-Blight Ordinance.

Section 2. Purpose.

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

Section 3. Enabling Authority.

This Ordinance is adopted in accordance with and pursuant to the provisions of Act 246, Public Acts of 1945, as amended and Act 344, Public Acts of 1945, as amended.

Section 4. Definitions

The following terms used in this ordinance are defined as follows:

- A. **"Accessory Vehicles"** shall mean any vehicle designed to be towed

behind a motor vehicle left on property for a period more than 240 continuing days.

- B. **"Building Materials"** shall include, without limitation, lumber, brick, 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.
- C. **"Front Yard"** shall mean an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the street right-of-way line and the nearest point of the principal structure. A corner lot shall have required front yard set backs on each street when the adjoining lots have their front yard set backs on the same street. On such corner lots, the opposite lot lines are considered as side lot lines rather than rear lot lines.
- D. **"Junk"** shall include, without limitation, cast off parts of machinery or motor vehicles, broken and unusable furniture, dilapidated fences (cast-off or in-place) stoves, refrigerators and other appliances, remnants of wood, metal or other cast-off material of any kind, whether or not the same could be put to any reasonable use.
- E. **"Junk Boat, Automobile, or Motor Vehicle"** shall include any boat, automobile or motor vehicle which is not licensed for use upon the waters or highways of the State of Michigan and shall also include, whether licensed or not, any boat or motor vehicle which is inoperative.
- F. **"Ordinance Enforcement Officer"** shall mean the person or persons designated by the Township Board to administer and enforce this Ordinance.
- G. **"Person"** shall include, without limitation, all natural persons, firms, co-partnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee.
- H. **"Township Board"** shall mean the governing body of Ray Township.
- I. **"Trash and Rubbish"** shall include any and all forms of debris or refuse not otherwise classified.

Section 5. Unlawful Conduct and Conditions.

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 conditions, and are hereby declared unlawful. 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 in the Township of Ray owned, leased, rented or occupied by such person, firm or corporation.

- (a) The storage or accumulation of junk or junk boats, automobiles or motor vehicles, accessory vehicles or any part thereof except in a completely enclosed building.
- (b) The storage or accumulation of building materials, unless there is in force a valid building permit issued by the Township of Ray for construction upon the property and the materials are intended for use in connection with such construction; or except where such building materials are part of the stock in trade or business located on the property in which case the materials must be stored in such a manner as not to create a nuisance.
- (c) The storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit, except domestic refuse stored in such a manner as not to create a nuisance for period not to exceed 30 days.
- (d) The storage or accumulation of tree stumps, uncut or unsticked fire wood, unorganized and/or strewn about or scattered wood or sticks, whether or not the same could be or are intended to be used for firewood when such is stored in a front yard as defined herein.
- (e) The storage, accumulation, or dumping of clean or unclean fill on vacant realty, unless there is in force a valid building permit issued by the Township of Ray for construction upon the realty and the fill is intended for use in connection with such construction.
- (f) The existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the Township of Ray.
- (g) The existence of any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable or not useful for any other purposes of which it may have been intended.

- (h) The existence of any vacant dwelling, garage or other out-building unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons.

All persons who violate any of the provisions of this Ordinance whether as owner, occupant, lessee, agent, servant or employee shall, except as otherwise provided, be equally liable as principals. Each day a violation continues shall be deemed a separate offense.

Section 6. Enforcement.

This Ordinance shall be enforced by Ordinance Enforcement Officer(s) designated by the Township Board. 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 5 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten (10) days after service of the notice upon him. Such notice may be served personally or by certified mail, return receipt requested. 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 by the owner and/or occupant within the time allowed shall constitute a violation of this Ordinance.

Section 7. Violation: Penalties.

Any person, firm or corporation found violating the provisions of this ordinance, shall be guilty of a misdemeanor and upon conviction thereof be subject to a penalty of not to exceed \$500.00 or by imprisonment in the Macomb County Jail for a period not to exceed 90 days, or by both such fine and imprisonment.

Section 8. Repeal of Conflicting Provisions.

All Ordinances or parts of Ordinances in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 9. Severability.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the validity or unconstitutionality of such section, paragraph, clause or provision shall not effect any of the remaining provisions of this Ordinance.

Section 10. Publication.

A true copy of this Ordinance and a summary thereof shall be published in the Romeo Observer, a newspaper of general circulation in the Township of Ray, within 30 days after its adoption. A complete copy of the Ordinance is available for inspection by the public at the Township Clerk's office.

Section 11. Effective Date.

This Ordinance shall take effect 30 days from and after the publication of a true copy or summary thereof as provided in Section 10.