

# Pine River Township Blight Ordinance

(as amended)

**AN ORDINANCE TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS OR CAUSES OF BLIGHT WITHIN PINE RIVER TOWNSHIP, GRATIOT COUNTY, MICHIGAN; TO PROVIDE FOR THE ENFORCEMENT HEREOF; AND TO PROVIDE PENALTIES FOR THE VIOLATION HEREOF; PURSUANT TO THE ENABLING AUTHORITY THEREFORE PROVIDED BY ACTS 344 (MCL 125.71 ET SEQ.) AND 246 (MCL 41.181 ET SEQ.) OF THE PUBLIC ACTS OF 1945 AS AMENDED.**

**THE TOWNSHIP OF PINE RIVER, GRATIOT COUNTY, ORDAINS:**

**Section 1. PURPOSE**

Consistent with the letter and spirit of act No. 344 of the Public Acts of 1945, as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in Pine River 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. 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 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 Pine River Township owned, leased, rented or occupied by such person, firm or corporation.

- A. The storage upon any property of junk automobiles, except in or behind an enclosed building or area in a manner that is not unsightly or offensive. For the purpose of this ordinance, the term "junk automobiles" shall include any inoperable motor vehicle that is not being restored or is being dismantled for parts.
- B. The storage upon any property of building materials unless there is in force a valid building permit issued by the Township of Pine River 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 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. In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a land-fill permit, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed thirty days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of woods, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.
- D. In any area 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, if a dwelling, nor useful for any other purpose of which it may have been intended.
- E. In any area, the existence of any vacant dwelling, garage or other outbuilding 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.
- F. In any area 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 and unless such construction is completed within a reasonable time.

**Section 3. ENFORCEMENT AND PENALTIES**

- A. This Ordinance shall be enforced by such persons who shall be so designated by the Township Board.
- B. Violation of this Ordinance shall be a civil infraction and shall be enforceable through all the authority granted to the district courts by Chapter 87 of Act No. 236 of the Public Acts of 1961 as amended.
- C. The sanction for a violation of a municipal civil infraction shall be a civil fine in an amount as it appears below plus any costs, damages, expenses, and other sanctions as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961 as amended in other applicable laws.
  - 1. The civil fine for a violation shall not be less than Fifty and no/100 (\$50.00) Dollars plus costs and other sanctions for each infraction.
    - a. Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of the Ordinance. As used in this section repeated offense means a second or any subsequent municipal civil infraction violation of the same requirement of provision committed by a person within any six (6) month period and for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense shall be as follows:
    - b. The fine for an offense which is the first repeat offense shall be no less than Two Hundred and Fifty and no/100 (\$250) Dollars plus costs.

- c. The fine for any offense which is the second repeat offense or any subsequent repeat offense shall be no less the Five Hundred and no/100 (\$500) Dollars plus costs.
- d. The violation includes any act which is prohibited or made or declared to be unlawful or in offense by this Ordinance or any omission or failure to act where an act is required by this Ordinance.
- e. Each day on which any violation of the Ordinance continues constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense.
- f. In addition, any remedies available at law, the Township may bring an action for an injunction or any other process against a person to restrain, prevent or abate any violation of this Ordinance.

**Section 4. SEVERABILITY**

Should any provision or part of the within Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force an effect.

**Section 5. EFFECTIVE DATE AND ADOPTION**

- A. This ordinance shall become effective thirty (30) days after its publication as required by law. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
- B. This Ordinance was adopted by the Township Board of the Township of Pine River, Gratiot County, Michigan at the Regular meeting thereof held on 7/7/82.

Signed by the Pine River Township Clerk

Published 8/15/82

Effective date 8/15/82

Amended by Ordinance Number 1994-102

(Section 3 Enforcement and Penalties Changes)

Adopted 12/14/94

Amended by Resolution to amend Blight Ordinance Number 206

Adopted 1/11/95

Published 5/26/95

Effective date 6/26/95