

**GRANT TOWNSHIP**

**MASON COUNTY, MICHIGAN**

**GRANT TOWNSHIP ANTI-BLIGHT ORDINANCE**

**ORDINANCE NO. 2016-1, AS AMENDED BY ORDINANCE NO. 2019-2**

**ADOPTED: FEBRUARY 3, 2016/FEBRUARY 6, 2019**

**EFFECTIVE: MARCH 20, 2016/MARCH 24, 2019**

An ordinance to secure the public health, safety and welfare of the residents and property owners of Grant Township, Mason County, Michigan, by prohibiting blighting factors caused by dangerous buildings as defined herein; to provide civil sanctions and remedies for the violation thereof; and to preserve any ordinance or parts thereof which pertain to the same subject matter.

**THE TOWNSHIP OF GRANT,**

**MASON COUNTY, MICHIGAN,**

**ORDAINS:**

**SECTION 1**

**TITLE**

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

**SECTION 2**

**PURPOSE**

The purpose of this Ordinance is to promote and preserve the general health, safety and welfare of the residents and property owners of Grant Township by prohibiting blighting factors caused by dangerous buildings, as defined in this Ordinance.

**SECTION 3**

**PROHIBITION OF BLIGHTING FACTORS**

No person, firm, corporation or entity of any kind shall maintain or allow to be maintained upon any publicly-owned property or upon any private property in Grant Township owned, leased, rented or occupied or possessed by, or otherwise under the control of such person, firm, corporation or entity any of the following conditions or activities which are hereby determined to be causes of blight or blighting factors which,

if allowed to exist, will tend to result in blighted and undesirable conditions and threaten the public health, safety and welfare:

- a. Any building or structure or part thereof which is a "dangerous building".
- b. The accumulation of "refuse, garbage, or solid waste" in such a manner or location or for such period of time as to pose a health hazard, or subject the occupants of adjacent or other premises to unreasonably offensive odors, or create a nuisance. The accumulation of refuse, garbage or solid waste for more than 14 days shall constitute a rebuttable presumption that such accumulation does pose a health hazard, or subject occupants of adjoining or other premises to unreasonably offensive odors, or create a nuisance.
- c. The accumulation of leaves, yard waste, vegetable waste, or other vegetative material for composting purposes on any premises on the street-side of the dwelling or other principal building, or located closer than 10 feet from any property line, or harboring rodents, or in such a manner or location as to subject the occupants of adjacent or other premises to unreasonably offensive odors, or otherwise create a nuisance.
- d. The throwing or other depositing of any refuse upon or into any public street, right-of-way, alley, or waterway, or upon the private premises of any other person without the permission of the owner, occupant, or other party in control of such private property; provided that any such permitted activity shall not otherwise violate any other provision of this ordinance.
- e. The parking or storage of any inoperable or partially dismantled vehicle outside of a fully enclosed building on any premises, unless such vehicle is completely shielded from view on any public roadway or adjoining private property under different ownership due to either topography, distance, natural year-round screening, or well-maintained fencing. Note: this provision is not intended to apply to property zoned and otherwise fully approved by the Township for use as a junk/salvage yard, and operating in accordance with all requirements applicable to same, including screening/fencing requirements.

#### SECTION 4

#### DEFINITIONS

For purposes of this Ordinance the following terms shall have the specified meaning:

- a. "dangerous building" means any building or structure, including any mobile home or house trailer, residential or otherwise, that has one or more of the following defects or is in one or more of the following conditions:



1. A door, aisle, passageway, stairway or other means of exit does not conform to the Township Building Code.
2. A portion of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being section 125.401 et seq. of the Michigan Compiled Laws, or the Township Building Code for a new building or structure, purpose or location.
3. A part of the building or structure is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.
4. A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Section 125.401 et seq. of the Michigan Compiled Laws, or the Township Building Code.
5. The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
6. The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used.
7. The building or structure is damaged by fire, wind or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
8. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the health officer of the township or county determines is likely to cause sickness or disease, or is likely to injure the health, safety or general welfare of people living in the dwelling.

9. The building or structure is vacant, dilapidated and open at a door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
- b. "Township Building Code" means the construction code(s) in effect in the Township pursuant to the State Construction Code Commission Act, Act No. 230 of the Public Acts of 1972, as amended, being section 125.1501 et seq. of the Michigan Compiled Laws.
- c. "refuse, garbage, or solid waste" means debris, garbage, scrap and waste materials of any kind, inoperable or discarded appliances and parts therefrom, remnants of board wood, metal, discarded concrete, brick, pipe, and any other building materials not intended for use in connection with a construction project on the site for which a valid building permit has been issued, and any other cast-off material of any kind, whether or not it could be put to any conceivable use.

## **SECTION 5**

### **VIOLATIONS AND ENFORCEMENT**

- a. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or who causes, allows, consents to, or aids or abets any of same, shall be deemed to be responsible for a violation of this Ordinance. Each day that a violation exists shall constitute a separate offense for enforcement purposes. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal.
- b. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
▪ 1st offense	\$ 150.00	---
▪ 2nd offense	\$ 325.00	---
▪ 3rd or subsequent offense	\$ 500.00	---

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

- c. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order



necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.

- d. This Ordinance shall be enforced by the Ordinance Enforcement Officer(s) of Grant Township, and by such other person or persons as the Township Board may designate.

#### **SECTION 6**

#### **SEVERABILITY**

If any part of this Ordinance is declared by a court of competent jurisdiction to be invalid or unenforceable, the balance of the Ordinance shall remain in full force and effect.

#### **SECTION 7**

#### **REPEAL/NONREPEAL**

All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided that this Ordinance shall not be construed to repeal expressly or by implication any provision of the Township Building Code, the Township Zoning Ordinance, or any other ordinance pertaining to the same subject matter as this ordinance that does not conflict herewith.

#### **SECTION 8**

#### **EFFECTIVE DATE**

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

Mary Jo Janowiak  
Grant Township Clerk