

# **ORDINANCE #218**

## **VILLAGE OF SPRINGPORT JACKSON COUNTY MI.**

### **RELATIVE TO BLIGHT REGULATIONS FOR RESIDENTIAL AREAS WITHIN THE VILLAGE**

#### **THE VILLAGE OF SPRINGPORT ORDAINS:**

##### **SECTION I- Determinations by Village:**

It is hereby determined that the storage or accumulation of trash, rubbish, junk, junk automobiles, abandoned vehicles, building materials and the maintenance of blighted structures upon any private property within the Village tends to result in blighted and deteriorated neighborhoods, the increase in criminal activity, the spread of vermin and disease and is contrary to the public peace, health, safety and general welfare of the community.

##### **SECTION II- Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Blighted structure means any dwelling, garage or outbuilding, or any factory, shop, store, warehouse or any other structure or part of a structure which, because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as a dwelling, nor useful for the purpose for which it may have been intended.

Building materials means lumber, brick, concrete, or cinder blocks, plumbing materials, electric wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in construction of any structure.

Junk means parts of machinery or motor vehicles, unused furniture, stoves, refrigerators or other appliances, remnants of wood, metal or any other castoff material of any kind, whether or not the same could be put to any reasonable use.

Junk automobiles means any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period of excess of 30 days, and shall also include, whether licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of 30 days; provided, however, that there is

excepted from this definition unlicensed, but operative, vehicles which are kept as the stock in trade of a regularly licensed and established new or used automobile dealer. Also excepted, with said vehicles being registered with the Village office, collector vehicles in process of being rehabilitated. Registration shall be good for one year, with renewal available.

Person means all natural persons, firms, copartnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent, or employee. All persons who violate any of the provisions of this article, whether as owner, occupant, lessee, agent, servant or employee shall, except as provided in this article, be equally liable as principals.

Trash and rubbish means any and all forms of debris not otherwise classified in this article.

### **SECTION III-Prohibited acts; exceptions**

(a) Storage or accumulation of junk. It shall be unlawful for any person to store, or to permit the storage or accumulation of trash, rubbish, junk, junk automobiles or abandoned vehicles on any private property in the village except within a completely enclosed building.

(b) Dismantling or disassembling. It shall be unlawful for any person to dismantle, cut up, remove parts from, or disassemble any automobile whether or not the automobile is a junk automobile, or abandoned vehicle, or any appliance or machinery unless in a completely enclosed building.

(c) Keeping or maintaining blighted or vacant structures. It shall be unlawful for any person to keep or maintain any blighted or vacant structure, dwelling, garage, outbuilding, factory, shop, store or warehouse unless the same is kept securely locked, the windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by unauthorized persons, or unless such structure is in the course of construction in accordance with a valid building permit issued by the Township, and unless such construction is completed within a reasonable time.

(d) Storage or accumulation of building materials. It shall be unlawful for any person to store or permit the storage or accumulation of building materials on any private property, except in a completely enclosed building or except where such building materials are part of the stock in trade of a business located on such property, or except when such materials are being used in the construction of a structure on the property in accordance with a valid building permit issued by the Township, and unless such construction is completed within a reasonable time.

**SECTION IV-Removal of junk, trash, rubbish, building materials, junk automobile or parts; disposal; obligations of owners**

The Village President or other designated person may remove or cause to be removed any junk, trash, rubbish, building materials, junk automobile or abandoned vehicle, or parts of either, with exception of registered collector vehicles, from any unenclosed private property after having notified, in writing, the owner or occupant of such property of his intention to do so at least 48 hours prior to such removal. Such notice shall be served personally upon the owner or occupant of the property, if occupied, or may be posted in a conspicuous place upon vacant or unoccupied property. Such junk, trash, rubbish, building materials, junk automobiles or abandoned vehicles, or parts of either, shall be removed to an automobile pound or refuse dump and disposed of in accordance with law. Such removal by the Village President or other designated person shall not excuse or relieve any person of the obligation for storage or accumulation of junk, trash, rubbish, building materials, junk automobiles or abandoned vehicles, or parts of either, nor from the penalties for violation of this article.

**SECTION V- Enforcement and penalty**

- (a) Penalty for a violation of a civil infraction shall be a civil fine in the amount of not less than \$75, plus other costs, damages, expenses and other sanctions for each infraction;
- (b) Increased civil fines may be imposed for repeat violations. The increased fine for a first repeat offense shall be not less than \$250, plus costs. The increased fine for a second repeat or any subsequent repeat offense shall be not less than \$500, plus costs.
- (c) Should you be taken to court to enforce this Ordinance and you are found to be in violation of the Ordinance by the Court, the violator (you) will be required to pay the actual and reasonable costs of prosecution.

Adopted the \_\_\_\_th day of \_\_\_\_\_, 2015

Effective the \_\_\_\_th day of \_\_\_\_\_, 2016

Reviewed By:

\_\_\_\_\_  
Village Clerk, Jennifer Naylor

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Village Manager, Rosalee Terpening

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Village President, Gordon Webb