

BLIGHT ORDINANCE TOWNSHIP OF LAPEER

ORDINANCE NO. 28.4

An ordinance to protect the public health; safety and general welfare by eliminating blight within Lapeer Township; to define and prohibit blight; to provide penalties for violation hereof; and to repeal prior ordinances and its amendments.

THE TOWNSHIP OF LAPEER ORDAINS:

ARTICLE I

Blight Defined and Prohibited

Section 1.1

It is hereby determined that the uses of land described in this Article constitute blight which, if allowed to exist, will result in unsafe, unsanitary and undesirable neighborhoods.

Section 1.2

No person shall maintain or permit to be maintained any of the following types of blight upon any premises owned, rented, or occupied by such person:

- (a) The outdoor storage of any junk motor vehicle. The term "junk motor vehicle" shall include any motor vehicle, which is not currently licensed, which has been inoperable for any reason for a period in excess of fifteen (15) days, and which is stored outside of an enclosed building.
- (b) The storage or accumulation of garbage of any kind except domestic refuse originating on the premises and stored in a sanitary manner for a period not to exceed fourteen (14) days. The term "garbage" shall include food waste matter and discarded food containers, as well as any other household refuse. Dumpsters and other large garbage containers shall not be stored within twenty-five (25) feet of any property line. All such dumpsters and containers shall be kept covered and shall be screened from view.
- (c) The outdoor storage or accumulation of junk. Any junk, which is not located within a completely enclosed building, shall be deemed to be stored outdoors in violation of this subsection. The term "junk" shall include machinery parts, motor vehicle parts, tin cans, unused appliances, metal remnants, building debris, or any other cast off material or other material which is not usable for the purposes for which it was manufactured. This subsection shall not apply to farm machinery which is stored on an operating farm and which is being kept for farming purposes. A farm shall be deemed to be a parcel of land containing at least forty (40) acres, of which at least one half is annually harvested.
- (d) The Owners or occupiers of lots within approved sub-divisions / site condominiums and of properties which contain a dwelling that is either vacant or has been foreclosed shall not allow the grass or weeds on those properties to exceed twelve (12) inches in height and shall also keep those properties free of fallen or broken trees.
 1. For vacant or foreclosed properties containing a dwelling which are not located within an approved sub-division and are larger than one (1) acre, the property owners are only required to maintain a sixty-five (65) foot perimeter around the dwelling that is free of grass or weeds which exceed twelve (12) inches in height and free of fallen or broken trees.

2. The requirements of this sub-section shall not apply to any area of land which has been mandated by State law, or has Township approval, to serve as a buffer zone of natural vegetation.
3. The Township will only take action to enforce Section 1.2(d) after a written and signed complaint has been filed with a Township official.

ARTICLE II

Penalties and Enforcement

Section 2.1

Any person, firm or corporation who violates any of the provisions of this ordinance will be held responsible for a municipal civil infraction and for creating a public nuisance, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions, for each infraction. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Lapeer Township Civil Infraction Ordinance.

Section 2.2

If a property owner fails to eliminate blight within fourteen (14) days of notification to eliminate such blight has been sent to the address shown on the Township tax roll, and the Township Board deems such blight to be a danger to the public health or safety, a designated agent of the Township may enter the property and eliminate the blight. The cost of such blight elimination shall be assessed against the property on the next tax roll.

ARTICLE III

Repeal of Prior Ordinance and Its Amendments

28.3

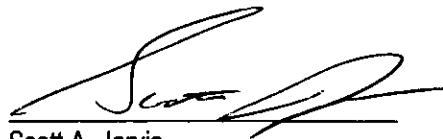
The former Lapeer Township Blight Ordinance Amendment, adopted on May 21st, 2009 is hereby repealed.

ARTICLE IV

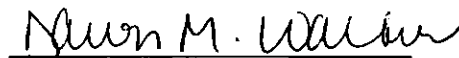
Enactment and Effective Date

Section 4.1

This Ordinance was adopted by the Lapeer Township Board at a meeting duly held on the 8th day of August 2011 and was published in the LAView newspaper on the 11th day of August 2011. This ordinance shall take effect thirty (30) days after the date of publication.



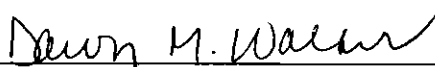
Scott A. Jarvis
Lapeer Township Supervisor



Dawn M. Walker, CMC
Lapeer Township Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Lapeer Township Board, County of Lapeer, State of Michigan, at a duly held meeting on the 8th day of August 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.



Dawn M. Walker, CMC
Lapeer Township Clerk