

BOIS BLANC TOWNSHIP
MACKINAC COUNTY, MICHIGAN
BOIS BLANC TOWNSHIP ORDINANCE NO. 042

Adopted: August 11, 2005

Effective: August 16, 2005

BOIS BLANC TOWNSHIP BLIGHT ELIMINATION ORDINANCE

An Ordinance to protect the health, safety, and general welfare of the residents, property owners, and people within Bois Blanc Township by providing for the prevention, reduction and elimination of certain causes of blight and blighting factors within the Township, and to provide sanctions for the violation of this Ordinance.

BOIS BLANC TOWNSHIP
MACKINAC COUNTY, MICHIGAN

ORDAINS:

SECTION 1 TITLE

This Ordinance shall be known and may be cited as the Bois Blanc Township Blight Elimination Ordinance.

SECTION 2 PURPOSE

The purpose of this Ordinance is to prevent, reduce and eliminate blight or potential blight in Bois Blanc Township by the regulation of certain causes of blight or blighting factors which exist or which may in the future exist in the Township, consistent with the letter and spirit of 1945 Public Act 344, as amended. (Appendix O)

SECTION 3 DEFINITIONS

- A. As used in this Ordinance the term “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, roofing shingles, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure.
- B. As used in this Ordinance the term “junk vehicle” shall include any vehicle or non-motor vehicle which is not currently and validly licensed for use upon the public roadways of the State of Michigan and/or any motor vehicle which is inoperable or otherwise in such a condition as to not be lawfully operated upon the public roadways.
- C. As used in this Ordinance the term “junk” includes parts of machinery or motor vehicles; unused appliances; remnants of wood, metal, or any other

material; and any other cast-off material of any kind, whether or not it could be put to any reasonable use.

D. As used in this Ordinance the term “person” includes any individual, partnership, corporation, firm, or any other type of legally recognizable entity.

SECTION 4 CAUSES OF BLIGHT OR BLIGHTING FACTORS; PROHIBITION

No person shall allow upon any property which they own, lease, rent, or otherwise occupy or possess, any of the following uses, structures or activities.

A. The storage of a junk vehicle on any property upon which a dwelling is situated, or on any other property within 500 feet of property upon which a dwelling is situated, the storage of a junk vehicle, outside of a completely enclosed building; or no more than 2 unlicensed vehicles that are otherwise operable and have all their main component parts attached. This provision shall not apply to junk vehicles located within a salvage yard licensed and being operated in conformance with the Bois Blanc Township Zoning Ordinance.

B. The storage of building materials on any property upon which a dwelling is situated, or on any other property within 500 feet of property upon which a dwelling is situated, the storage of building materials, unless the materials are intended for use in connection with construction upon the premises and there is a valid building permit issued and in effect for that construction.

This provision shall not apply to building materials located within a salvage yard licensed and being operated in conformance with the Bois Blanc Township Zoning Ordinance.

C. The storage of or accumulation of junk, or trash, rubbish, or refuse of any kind outside of a fully enclosed building or not otherwise hidden from view by any person on adjoining property and the public roadways; or any household refuse stored for not more than 15 days.

E. Any vacant dwelling, garage, or other outbuilding which is not kept securely locked, windows kept glazed or neatly boarded up, and otherwise protected to prevent casual entry by vandals or other unauthorized persons.

F. Any partially completed structure, unless the structure is in the course of construction pursuant to a valid building permit.

SECTION 5 ENFORCEMENT AND SANCTIONS

A. Any person who violates any of the regulations or provisions of this Ordinance, whether as owner, lessee, licensee, agent, servant, or employee, shall be liable as a principal.

B. Any violation of this Ordinance shall constitute a basis for injunctive relief against the violator, restraining and prohibiting continuation of the violation, in addition to any other relief or sanction herein set forth or allowed by law.

C. Any person or other entity who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule:

Minimum/Maximum

| | |
|--|---------------|
| First violation within a 3-year period* | \$50 - \$500 |
| Second violation with a 3-year period* | \$125 - \$500 |
| Third violation within a 3-year period* | \$250 - \$500 |
| Fourth or subsequent violation with a 3-year period* | \$400 - \$500 |

*determined on the basis of the date of the violations(s)

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the township has been put in connection with the violation. In no case, however, shall costs of less than \$9 or more than \$500 be ordered. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law. Each day a violation of this ordinance continues to exist constitutes a separate violation.

SECTION 6 SEVERABILITY

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

SECTION 7 EFFECTIVE DATE

This Ordinance shall take effect immediately after publication as required by law.

CLERK'S CERIFICATE

I, Joan E. Schroka, Bois Blanc Township Clerk, do hereby certify that the foregoing Bois Blanc Township Ordinance No.042 was adopted by the Bois Blanc Township Board at a regular meeting held on August 11, 2005 and that the following is a record of the vote of the members of said Township Board on said Ordinance.

AYES: Loren Gibbons, Cheryl Gahn, Joan Schroka, Lani White, Shelby Newhouse.

NAYS: None

Joan E. Schroka, Bois Blanc Township Clerk