

ORDINANCE NO. 09-11

An Ordinance to Ordinance Number 03-04 of the Code of Ordinances of the Charter Township of Mt. Morris, which prevents blight and blighting factors in the Charter Township of Mt. Morris, provides enforcement of the ordinance, and imposes penalties for violation of the ordinance.

THE CHARTER TOWNSHIP OF MT. MORRIS ORDAINS:

That pursuant to MCLA 42.23 the Code of Ordinances of the Charter Township of Mt. Morris, Michigan, is hereby amended as follows:

Section 9-1.5 Blight Ordinance

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, business, firm, corporation, or legal entity of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in Mt. Morris Township owned, leased, rented, or occupied by such persons, businesses, firms, corporations, or legal entities.

1. In those areas within this township which are zoned Residential or Commercial it shall be a violation of this ordinance for any person, business, firm, corporation, or legal entity of any kind:
 - A. To store upon any property junk automobiles unless said junk automobiles are kept in a fully enclosed structure. For the purpose of this ordinance, the term "junk automobile" shall include any motor vehicle which is inoperative for any reason for a period in excess of fifteen days.
 - B. To store upon any property building materials unless there is in force a valid building permit issued by this township for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include but shall 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 the construction of any structure.
 - C. To store or abandon on any property, street, or highway of the township any item of any kind which annoys, injures, or endangers the health, safety, or welfare of the public or interferes with, destroys, or renders dangerous any street or highway within the township.

2. In those areas within this township which are zoned Residential, Commercial, Office, Light Industrial, or Heavy Industrial it shall be a violation of this ordinance for any person, business, firm, corporation, or legal entity of any kind:
 - A. To allow the accumulation of junk, trash, rubbish, or refuse of any kind for a period of more than thirty days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of wood, metal, or any other cast-off material of any kind, whether or not the same could be put to any reasonable use.
 - B. To allow any structure to reach such a state of disrepair or deterioration so as to become no longer habitable if a dwelling and/or useful for any other purpose for which it may have been intended if not a dwelling.
 - C. To fail to secure any vacant building, dwelling, or structure of any kind via locks, boards, etc. to prevent entry by vandals, vagrants, or children, etc.
 - D. To fail to complete the building of any structure as required by validly issued township building permits.
 - E. To allow the accumulation of household furniture, furnishings, equipment, and personal clothing and effects located on any property outside a completely enclosed structure.
 - F. To store or abandon on any property, street, or highway of the township any item of any kind which annoys, injures, or endangers the health, safety, or welfare of the public or interferes with, destroys, or renders dangerous any street or highway within the township.
3. The Building Inspector of the Township and/or his/her designee is hereby designated as the enforcement officer for this ordinance, and it shall be his/her duty to perform all of the acts necessary and appropriate for the enforcement of this ordinance.
4. The owner and occupant of any property upon which any of the causes of blight or blighting factors set forth in Section I hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten days after service of the notice upon him/her.
 - A. Such notice may be served upon the occupant by personal service or by posting the notice securely upon the structure on the premises.

- B. Such notice shall be served upon the record owners by mailing by first class mail addressed to the record owner at the address shown on the last assessment roll for *ad valorem* tax purposes.
5. "Record owner" is defined to be the person, corporation, or business entity whose name appears upon the last township tax assessment records. The last township assessment records means the last assessment roll for *ad valorem* tax purposes that has been reviewed by the Township Board of Review as supplemented by any subsequent changes in the names or addresses of the owner listed on that roll. If a record owner's name does not appear on the township tax assessment records then the notice shall be given by first class mail addressed to the record owner at the address shown by the records of the County Register of Deeds.
6. Failure to comply with the notice within the time allowed shall constitute a violation of this ordinance.
7. A violation of this ordinance shall be a municipal civil infraction.
8. If the owner fails to comply with the notice within the time allowed, the township shall have the right to enter upon the land to remove the personal property creating the blighted condition and shall have the right and power to add any and all costs incurred by the township for the abatement and cleanup of the blighted condition to the tax roll of the property upon which the blighted condition was located, and to levy and collect such costs in the same manner as provided for the levy and collection of *ad valorem* real property taxes against said property.

This Ordinance shall be known as and may be called "The Mt. Morris Township Anti-Blight Ordinance of 2009.

This ordinance shall be published in a newspaper circulated within the Charter Township of Mt. Morris, Genesee County, Michigan.

This Ordinance shall become effective upon the date of its publication following its final passage.

We hereby certify that the foregoing ordinance was adopted on the second reading by the Township Board of the Charter Township of Mt. Morris, Michigan.

First reading: 9-14-09

Charter Township of Mt. Morris

First publication: 9-23-09

By: _____

Second reading: 9-28-09

Larry Green, Supervisor

Second publication: 10-8-09

By: _____

Brenda Ashley, Clerk