

ORDINANCE NO. 13

Armada Township Rehabilitation of Blighted Areas and Anti-Blight Ordinance

An Ordinance to secure the public peace, health, security and general welfare of the residents and property owners of the Township of Armada, Macomb County, Michigan, by the regulation of the storage of debris, the unsanitary accumulation of trash, the unsightly disposition of rubbish and the unreasonable creation of noxious odors, offensive or disturbing to the public or to the residents or property owners in the area; to provide for the enforcement hereof; and to provide penalties for the violation thereof.

THE TOWNSHIP OF ARMADA, MACOMB COUNTY, MICHIGAN, ORDAINS:

Section 1. Purpose

Consistent with the letter and spirit of Act No. 344 of the Public Acts of 1945, as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in Armada Township by the prevention or elimination of certain environmental causes of blight or blighting factors which exist, or which may in the future exist in said Township.

Section 2. Definitions

Junk. For the purpose of this Ordinance the term "junk" shall mean any machinery, appliances, products, or merchandise with parts missing, or scrap metals or other scrap materials that are damaged, deteriorated, or are in a condition which cannot be used for the purpose for which the product was manufactured unless there is a reasonable prospect that such material is necessary to the operation of an existing enterprise in a residential - agricultural zone.

Junk Automobiles. For the purpose of this Ordinance "junk automobiles" shall include any motor vehicle that becomes a nuisance as a result of dismantling, wrecking, unlicensed for a period of one year or mechanically inoperative. Any automobile abandoned or neglected with no effort being made to repair such vehicle during a period of sixty (60) days shall be classified as junk. Vehicles for use on a farm operation shall be permitted without license. Recreation vehicles and campers shall be maintained in good repair with all exterior parts intact and used at least once a year otherwise they shall be considered junk.

Rubbish – Debris. Means the miscellaneous waste materials resulting from housekeeping, mercantile enterprises, trade, manufacturing, and offices, including other waste matter such as slag, stone, broken concrete, fly ash, ashes, tin cans, glass, scrap metal, rubber, paper, rags, chemicals, or any similar or related combinations thereof.

Section 3. Causes of Blight or Blighting Factors

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, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in Armada Township owned, leased, rented or occupied by such person, firm or corporation.

- A. There shall be no storage upon any property of junk automobiles, except in a completely enclosed building or in salvage yards as may thereafter be governed by Ordinance. Industrial machinery and construction equipment such as bulldozers, cranes, cement mixers, etc., should be stored and orderly to be inconspicuous in Class D-Industrial only.
- B. In any area zoned for residential - agricultural purpose, the storage upon any property of building materials unless such material is an integral part of any use permitted in a residential -

agricultural zone or unless there is in force a valid building permit issued by the 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 constructing any structures.

- C. In any area zoned for residential-agricultural purposes, the storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed thirty (30) days.
- D. In any area the existence of any structure or part of any structure, which because of fire, wind or other natural disaster, or physical deterioration is no longer habitable as a dwelling, nor useful for any other purpose for which it may have been intended.
- E. In any area zoned for residential-agricultural purposes the existence of any vacant dwelling, garage or other out-building unless such buildings are kept securely locked, windows kept glassed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.
- F. In any area the existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the Township and unless such construction is completed within a reasonable time.

Section 4. Enforcement and Penalties

- A. This Ordinance shall be enforced by such persons who shall be so designated by the Township Board.
- B. The Owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 3 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 them. Such notice may be served personally or by registered mail, return receipt requested. Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- C. Failure to comply with such notices within the time allowed to the owner and /or occupant shall constitute a violation of this Ordinance.
- D. Violation of this Ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding One Hundred Dollars (\$100.00) or by imprisonment for not exceeding thirty (30) days or by both such fine and imprisonment at the discretion of the court. Each day that a violation shall continue shall constitute a separate offense.

Section 5. Validity

The several provisions of this Ordinance are declared to be separate, and the determination by any Court or Judge of competent jurisdiction that any section or provision thereof is invalid shall not affect or impair the validity of any other section or portion.

Section 6. Effective Date.

This Ordinance shall take effect 20 days after publication. Published September 1, 1969.

Adopted: September 12, 1969

BY: Arthur Depauw,