



**FORT GRATIOT CHARTER TOWNSHIP CODE OF ORDINANCES**  
**CHAPTER 12 – ENVIRONMENT**  
**ARTICLE II – BLIGHT**  
**BLIGHT ORDINANCE**

**Sec. 12-31. Cumulative remedies.**

The penalties and remedies provided in this article for the elimination of blight and the abatement of nuisances and offensive conditions are in addition to any other penalty or remedy provided by ordinance, statute, or common law. Any other penalty or remedy provided by ordinance, statute, or common law shall not be construed as a limitation upon the penalties and remedies as provided in this article, nor shall the remedies and penalties provided in this article be construed as a limitation on any penalties or remedies available by other ordinance, statute, or common law.

**Sec. 12-32. Purpose.**

It is hereby found and declared that:

- (a) Areas of the Township are, or may become, blighted, with such resulting in an impairment of taxable values upon which, in large part, Township revenues depend;
- (b) Such blighted areas are detrimental to the health, safety, morals, and general welfare of the citizens and to the economic welfare of the Township;
- (c) To improve and maintain the general character of the Township, it is necessary to rehabilitate such blighted areas by eliminating blight and blighting factors;
- (d) The conditions found in blighted areas cannot be remedied by the ordinary operations of private enterprise with due regard to the general welfare of the public, without participation from the Township;
- (e) The purposes of this Article are to rehabilitate blighted areas by eliminating blight and blight factors within all areas of the Township for the protection of the health, safety, morals and general welfare of the Township; to preserve existing values of properties near or adjacent to such areas and all other areas of the Township; and to preserve the taxable value of the property within such areas and all other areas of the Township; and
- (f) The necessity and the public interest for provisions set forth in this Article are declared to be a public purpose and for the protection of the health, safety and welfare of the residents of the Township.

**Sec. 12-33. 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:

- (a) *Building Materials*, means, but is not 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 other materials used for construction.
- (b) *Debris*, means, but is not limited to, stumps, trees, branches, buried materials, and any other items or materials, man-made or natural, discovered upon the clearing of a parcel of land, created by the clearing of a parcel of land, or intentionally placed on a parcel of land.

- (c) *Domestic Refuse*, means food or animal waste and any waste consisting of combustible materials, such as recycling materials, paper, cardboard, yard clippings, wood or similar materials, generated in a dwelling.
- (d) *Garden*, means a kept area of ground established and used exclusively to grow fruits, vegetables, herbs, shrubs or flowers.
- (e) *Junk*, means, but is not limited to, parts of machinery or motor vehicles, tires, automobile seats, shopping carts, appliances, upholstered furniture, remnants of wood, metal, concrete or any material of any kind whether or not the material could be put to any immediate reasonable use, or items not designed, manufactured, sold or intended for outdoor use. "Junk" also includes unused swimming pools, boats, campers, travel trailers, motorized homes, trailers of any type, and recreational equipment or vehicles that are not maintained in good condition and repair or are in an otherwise dilapidated condition.
- (f) *Junk Vehicle*, means any motor vehicle which is not licensed for use upon the highways of the state, or which is inoperative.
- (g) *Landscaping*, means those elements which enhance the appearance of land and buildings, including lawns, trees, shrubs and flowers.
- (h) *Open Storage*, means the storage or accumulation of items visible from any public street, the sidewalk or from any adjoining property.
- (i) *Uninhabitable Structure*, means any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable or is a dangerous structure or building as defined under Public Act No. 61 of 1969 (MCL 125.538 et seq., as amended).

**Sec. 12-34. Causes of blight or blighting factors.**

No person shall maintain or permit to be maintained any causes of blight or blighting factors upon any property in the Township. The following uses, structures, activities and/or conditions are determined to be causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods and/or areas in the Township:

- (a) Open storage. Open storage or accumulation upon any property, street or alley of:
  - (1) Junk vehicles. Junk vehicles may be stored within a completely enclosed building.
  - (2) Building materials, unless such materials are for use in construction occurring upon such property pursuant to a valid and current building permit issued by the Township.
  - (3) Junk, trash, debris, rubbish, recycling or refuse of any kind. Provided, storage of domestic refuse in a manner inconsistent with this Article or other provisions of the Ordinance or in such a manner so as to constitute a nuisance is not permitted.
    - a. Domestic refuse may be stored for up to seven days in sealed trash receptacles in a side or rear yard only, which when visible from any public street or sidewalk, are kept sealed covered, neat and do not create noxious odors.
    - b. Domestic refuse may only be placed curbside the day prior to and no later than 7:00 AM on your scheduled pickup day. Unsealed containers must be kept secured at all times. Refuse in containers without lids must be weighted to prevent materials from blowing.
  - (4) Debris created from clearing or discovered upon a parcel of land must be removed within fifteen (15) days of the commencement of clearing said land. The placement of debris from another parcel of land or location is prohibited.

- (b) Exterior of structure. The exterior of any structure not maintained as follows:
  - (1) Roofs and roofing shingles are in good condition and not covered with tarps or other materials in excess of 30 days if repairs are being made.
  - (2) Porches and stairs are stable and in safe, good repair with no blankets, tarps, or unsightly plastic/vinyl sheeting hanging on porches.
  - (3) Materials used as a repair and/or replacement shall be of the same or similar material, including size, shape and color and shall be free from damage or defect.
- (c) Structures. The following structures are not allowed:
  - (1) Uninhabitable Structures.
  - (2) Vacant buildings which are not kept securely locked, all windows glazed and measures taken to prevent the casual entry of unauthorized persons.
  - (3) Any partially completed structure unless such is in the course of active construction in accordance with a valid and current building permit issued by the Township.

**Sec. 12-35. Enforcement and penalty.**

- (a) The existence of any condition as described in Section 12-34 shall be a municipal civil infraction (as defined by Section 20-31 through 20-35 of this Ordinance) and constitute a nuisance per se. Upon discovering such a violation the enforcement officer shall notify the owner and/or the occupant of the property, in writing, to remove or eliminate such causes of blight or blighting factors from such property within the period of time designated in the notice as deemed appropriate by the enforcement officer (the "Removal Notice"). The Removal Notice shall be delivered personally, by certified mail and/or by any other means reasonably calculated to provide notice.
- (b) If blight or blighting factors are not timely eliminated/removed consistent with the Removal Notice, the enforcement officer may issue a municipal civil infraction violation notice or municipal civil infraction citation. Reoccurrence of the same violation may result in additional municipal civil infraction violation notices or citations for each day that the violation exists.
- (c) If an owner/occupant is issued a municipal civil infraction notice of violation or citation and either consents to the infraction, is default on the notice or citation and/or is found responsible by a Court after challenging the notice or citation and Township Supervisor, or his/her designee, determines that blight or blighting factors involved in the notice or citation have not been removed the cause of the blight or blighting factors may be removed by the Township upon the direction of the Township Supervisor, or designee. All costs of elimination/removal of such blight shall be billed to the owner and/or occupant of the subject property and all invoices which remain unpaid for more than 30 days shall become a lien on the property and assessed as a single lot assessment payable in the same manner as general township taxes. No action to assess property shall absolve the owner and/or occupant of personal liability for such costs and the Township shall have the right to commence legal action to collect such costs from the owner and/or occupant.

(d) If a directive issued by the Township Supervisor, or designee, pursuant to this Article involves demolition of any dwelling or structure and such order is not complied with within 10 days after its issuance, the Township Board shall hear a report from the Township Supervisor, or designee, and based on such report shall make a determination whether to proceed with the proposed demolition. In such case, the Township Board shall issue a resolution containing terms it deems appropriate, including, but not limited to, authorizing the demolition of the structure by the Township. Unless specifically provided otherwise in the Township Board's resolution, all costs associated with demolition and/or blight remediation shall be billed to the owner and/or occupant of the subject property and all invoices which remain unpaid for more than 30 days shall become a lien on the property and assessed as a single lot assessment payable in the same manner as general property taxes. No action to assess property shall absolve the owner and/or occupant of personal liability for the costs and the Township shall have the right to commence legal action to collect such costs from the owner and/or occupant. The owners of record title to the subject property, any lienholder and any land contract purchaser of such property shall be notified in writing in advance of the Township Board hearing and shall be given the opportunity to be heard at the public hearing.

(e) Nothing herein shall be construed to limit the Township Supervisor of his or her designee's authority to order the immediate abatement or demolition of structures under emergency circumstances as otherwise provided in these ordinances or the law. In addition to any other available remedies, the Township reserves the right to seek injunctive judicial relief to enforce the terms of this Article and require compliance with the same.

(Ordinance No. 218, Adopted 06/05/2019)

**Sections 12-36 – 12-70. Reserved.**

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