

**TOWNSHIP OF MARTIN**

**ORDINANCE NO. 110**

**AN ORDINANCE TO PROHIBIT BLIGHT AND TO PROVIDE  
FOR SANCTIONS FOR VIOLATIONS**

**ADOPTED: JULY 11, 2012**

**EFFECTIVE: OCTOBER 8, 2012**

THE TOWNSHIP OF MARTIN, MICHIGAN ORDAINS:

Section 1. Blight unlawful.

~~(a)~~ Unlawful to maintain or permit blight or blighting factors. It is hereby determined that the structures, uses and activities in subsection (b) are causes of blight or are blighting factors which, if allowed to exist, result in blighted neighborhoods, impair property values, and pose a real and substantial risk to the health, safety, and welfare of Township residents. On and after the effective date of this Ordinance, no person or any group of any kind may maintain or permit to be maintained any of the blights or blighting conditions as provided in subsection (b) upon any land or premises in the Township, owned, leased, rented or occupied by such person or group of any kind.

~~(b)~~ Prohibited activities. The following activities are expressly prohibited on any premises in the Township:

1. The existence of any junk motor vehicle, except in a completely enclosed building. For the purpose of this article, the term “junk motor vehicle” shall include any motor vehicle which is not licensed for use upon the highways of the state for a period in excess of sixty (60) days and also, whether so licensed or not, any motor vehicle which is inoperative for any reason or not having all main component parts and remaining in one location for a period in excess of sixty (60) days. This subsection shall not apply to a lawful and approved junk yard.
2. The outdoor storage upon any premises of building materials is prohibited unless construction work is being done or is being contemplated within sixty (60) days on such premises in accordance with a valid building permit and such materials are intended for use in connection with such construction. The term “building materials” shall include, but shall not be limited to, lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heading ducts or equipment, shingles, insulation, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure. All construction debris shall be removed from any premises within thirty (30) days after completion of the construction as confirmed by the building inspector. This subsection shall not prohibit the storage of usable building materials occupying not in excess of 128 cubic feet of space in the

rear area of a residence provided that such material is neatly stored and covered with a tarpaulin, plastic or other cover material and further that such storage area is not intended for use as a commercially available supply of building material on a regular basis. This subsection shall not apply to building materials used in a lawfully operated building materials supply business.

3. The storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such manner as not to create a nuisance for a period not to exceed thirty (30) days. The term “junk” shall include parts of machinery or motor vehicles, construction machinery or parts thereof, unused stoves or other appliances stored in the open, remnants of wood, metal or any other material or other castoff material of any kind whether or not material could be put to any reasonable use. This subsection shall not apply to a lawful and approved junk yard.
4. The existence of any vacant dwelling, garage, or outbuilding unless the vacant dwelling, garage or outbuilding is kept securely locked, windows kept glazed or neatly boarded up, and otherwise protected to prevent entrance thereto by unauthorized person or persons.
5. The existence of any structure or part of 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.
6. The existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid and existing building permit issued by the Township and unless exterior construction is completed within one year after issuance thereof.
7. In any area zoned agricultural, the keeping of farm implements and their outside storage by a bona fide operating farm shall not fall within the meaning of junk or junk motor vehicles as defined in this Ordinance.

## Section 2. Enforcement and penalties.

~~(a)~~ Enforcement official. This Ordinance shall be enforced by a person or official as designated by resolution of the Township Board.

~~(b)~~ Notice; removal of blight. 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 1 of this Ordinance 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 (10) days after service of the notice upon him. Such notice may be served personally or by certified, return receipt requested mail. [The Township may also post a notice on the premises in a conspicuous location attesting to the violation and acquire an execution

of proof of service indicating the date and manner service was effected.] Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting are in progress.

- ~~(e)~~ Existence of blight after expiration of time to correct. The existence of blight or blighting factors as defined in this Ordinance after expiration of the notice period provided in subsection (b) of this Section shall constitute a violation of this Ordinance. Each day that the blight continues to exist shall constitute a separate offense.
- ~~(d)~~ Municipal civil infraction. A violation of this article shall be deemed a municipal civil infraction subject to the fines and sanctions set forth in the municipal civil infraction provisions of Ordinance No. \_\_\_\_\_.
- ~~(e)~~ Injunctive relief. The Township reserves the right to seek injunctive relief from the circuit court to enforce compliance with this Ordinance and to permit the Township to petition the court for an order impounding and allowing the sale of the blighting factors where appropriate.

Section 3. Severability. If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of this Ordinance which can be given effect without the invalid portion or application, provided such remaining portions are not determined by the court to be inoperable, and to this end this Ordinance is declared to be severable.

Section 4. Effective Date. This Ordinance shall take effect thirty (30) days following its publication as provided by law.

Moved by Brenner, seconded by Tiemeyer, that the foregoing Ordinance be adopted.

YEAS: Glenn Leep, Jim Brenner, and Susan Tiemeyer

NAYS:

ABSENT: Carrie Coburn and Jack Sipple

\_\_\_\_\_ That this Ordinance as set forth above was adopted by the Township Board of the Township of Martin in regular session on July 11, 2012, and that it was published in the Penassee Globe on September 8, 2012. Further, I certify that the attested copy of the Ordinance was filed with the Township Clerk on July 11, 2012.

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Carrie Coburn  
Martin Township Clerk