

VILLAGE OF COLUMBIAVILLE
BLIGHT PREVENTION ORDINANCE

Ordinance No. 317

An ordinance to protect the public health, safety and general welfare by preventing, reducing, or eliminating blight within the Village of Columbiaville; to define and prohibit blight; to assess costs for blight removal; and to provide penalties for violations, and to repeal ordinances.

THE VILLAGE OF COLUMBIAVILLE ORDAINS:

ARTICLE I

Blight Defined and Prohibited

Section 1.1. It is hereby determined that the uses of land described in this Article constitute blight which, if allowed to exist, will result in unsafe, unsanitary and undesirable conditions.

Section 1.2. No person shall maintain or permit to be maintained any of the following types of blight upon any premises owned, rented, or occupied by such person, to include the public street right-of-ways immediately adjacent to such premises:

- (a) The outdoor storage of any junk motor vehicle. The term "junk motor vehicle" shall include, but is not limited to, any motor vehicle which is not currently licensed or which has been inoperable for any reason for a period in excess of seven (7) days. Trailers, contractor's equipment, and recreational vehicles, including but not limited to, any automobile, truck, bus, motor home, motorized camper, motorcycle, tractor, snowmobile, trailer, contractor's equipment, recreational vehicles, or any other type of off road vehicle, which have been in disrepair for any reason in excess of seven (7) days shall be considered "junk motor vehicles".
- (b) The storage or accumulation of garbage of any kind, except domestic refuse originating on the premises and stored in a sanitary manner for a period not to exceed seven (7) days. The term "garbage" shall include food waste matter and discarded food containers, as well as any other household refuse. Placement of garbage or domestic refuse along the road right-of-way for pick up more than twenty-four (24) hours prior to or twenty-four (24) hours after the scheduled garbage pick-up time is prohibited. Furthermore, garbage or refuse shall only be placed in a garbage can or similar enclosed container. Placement of garbage or refuse along the road right-of-way in a garbage bag or other types of non-closed containers is strictly prohibited.
- (c) The outdoor storage of accumulation of junk. The term "junk" shall include machinery parts, tires, containers, motor vehicle parts, mobile home components, tin cans, unused appliances, metal remnants, cast-off materials, inoperable equipment, and any inoperable or discarded machinery or materials.
- (d) The outdoor storage of mobile homes (other than those which are legally used and occupied for dwelling purposes), truck bodies, bus bodies, or semi-trailers, either as vacant units or storage units.
- (e) The dumping or landfilling of any junk or garbage. The term "dumping or landfilling" shall include burying or otherwise disposing of items on property not licensed as a landfill pursuant to the Michigan Solid Waste Management Act.
- (f) The existence of buildings or structures which have been damaged by fire, wind, floor or other deterioration to the extent that they are no longer usable, to include, but not limited to, any building

or structure that is not structurally sound, safe for the intended use, weather tight, waterproof, vermin proof, or which is not covered by water resistant paint or other waterproof covering so as to protect said structure from the adverse effects of the elements or from physical deterioration.

- (g) The existence of uncut grass or weeds in excess of six (6) inches in height on any parcel of land other than fields which are actively being used for agricultural production, including, but not limited to, any property whereby the landscaping is not regularly maintained, lawns not being moved, noxious weeds, or shrubs not being regularly trimmed.
- (h) The existence of any vacant building, structure, garage, or other outbuilding unless said building, structure, garage, or other outbuilding is kept securely locked, protected against the elements, and is inaccessible so as to prevent entrance by vandals, rodents, or other animals.
- (i) The existence of any vacant or abandoned parking area having an improved parking surface with substantial cracks, breaks or potholes, whereby weeds grow therein or causing pooling of stagnant water thereupon.
- (j) The existence of any building, property, or structure that is not kept in a neat and orderly appearance.
- (k) The existence of any condition which provides for the harboring or rats, mice, snakes, or other vermin.
- (l) The covering of any building or structure, or the window(s) of a building or structure, with external boards, metal screens (other than those used to prevent the infestation of insects), grates, or other material in such a way that the building or structure appears to be unoccupied, without obtaining the proper permits to do so.
- (m) The existence of any incomplete structures unless such structure is in the course of construction in accordance with a valid Zoning Compliance Permit issued by the Village and building permits issued by Marathon Township.
- (n) The outdoor storage or accumulation of building materials unless a valid Zoning Compliance Permit has been issued by the Village and building permits have been issued by Marathon Township for the construction upon said property and the building materials are intended for use in connection with such on-going construction project. Building materials shall include, but are not limited to, lumber, bricks, concrete or cinder blocks, plumbing materials, mechanical materials or equipment, electrical wiring or equipment, shingles, mortar, concrete or cement nails, screws, or any other materials used in constructing or repairing any structure.

Section 1.3. Sections 1.2(a), (c), and (d) of this Ordinance shall not apply to junk or salvage yards with approved zoning variances or which are zoned I-Industrial and have been granted special approval under the Village of Columbiaville Zoning Ordinance.

Section 1.4. Building permits will be issued by Marathon Township upon satisfying Township requirements and upon approval of Zoning Administrator for the Village of Columbiaville.

ARTICLE II

Cutting of Grass and Weeds

Section 2.1. The property owner (as identified in the most current tax roll), agent, or occupant of land shall be notified when grass or weeds in excess of six (6) inches in height are observed on property. The owner, agent, or occupant shall be given ten (10) days to voluntarily comply from the date the notice of the violation. Notice will be mailed via certified mail with return receipt requested. This notice shall describe methods the Village will use to eradicate the grass or weeds along with a summary of the provisions of this Ordinance.

Section 2.2. In lieu of providing notice as required in Section 2.1., the Village may publish a notice in a newspaper of general circulation in the county during the month of March that weeds not cut by May 1st of that year may be cut by the Village and the owner of the property charged with the cost pursuant to Section 2.3 of this Ordinance. The publication shall also contain all other information required of the notice provided for in Section 2.1. The Village may cut weeds many times as is necessary and charge the cost to the property owner.

Section 2.3. The Village Council may direct Village employees or independent contractors to undertake the necessary work to cut any grass or weeds which have not been cut by voluntary action on the part of the responsible property owner. In the event that Village employees or outside contractors are used to cut weeds or grass, the full cost of obtaining compliance, including administrative and collection costs as well as mowing costs, shall be assessed against the property tax roll.

ARTICLE III

Penalties and Enforcement

Section 3.1. Any person, firm or corporation who violates any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine plus costs and other sanctions, for each infraction pursuant to the Village of Columbiaville Civil Infraction Ordinance No. 311. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Village of Columbiaville Civil Infraction Ordinance.

Section 3.2. As an alternative to proceedings under Section 3.1., the Village may seek injunctive relief through Circuit Court to abate any violations. Any violation of this Ordinance shall constitute a nuisance per se.

Section 3.3. Any person found responsible in a court of law for blight shall eliminate such blight and shall be liable for the cost of elimination of the blight, including attorney fees incurred by the Village. If such blight is not eliminated by the responsible party, the Village may cause such blight to be eliminated and bill the cost to the responsible party. The cost of such blight elimination, if it is not voluntarily paid for by the responsible party, shall be assessed against the property on the next tax roll.

ARTICLE III

Repeal

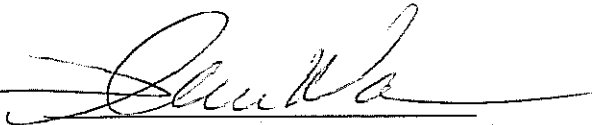
Section 4.1. The former Village of Columbiaville Blight Ordinance No. 400, as adopted on November 1, 1988; the former Amendment No. 401, as adopted on July 8, 1991; the former Amendment No. 400A, as adopted July 11, 1996; the former Amendment No. 315, as adopted November 12, 2013; the former Amendment No. 315.1, as adopted on June 14, 2010; and the former Noxious Weeds Ordinance No. 316, as adopted June 24, 1947, are hereby repealed in their entirety.


ARTICLE V

Enactment and Effective Date

Section 5.1. This Ordinance was adopted by the Village of Columbiaville at a meeting duly held on the 11th day of January, 2016 and was published in the L.A. View on the 21st day of January, 2016.

Section 5.2. This Ordinance shall take effect twenty (20) days after the date of adoption specified in Section 5.1.


Thomas Wood, Village President


Denise C. Baker, Village Clerk