

**TOWNSHIP OF WINTERFIELD, COUNTY OF CLARE,
STATE OF MICHIGAN**

WINTERFIELD TOWNSHIP ORDINANCE NO. 5-01

ANTI-BLIGHT ORDINANCE

**ADOPTED: MAY 1, 2001 EFFECTIVE: JUNE 15, 2001
THE TOWNSHIP BOARD OF WINTERFIELD TOWNSHIP
CLARE COUNTY, MICHIGAN**

ORDAINS:

SECTION 1

NAME

This ordinance shall be known and cited as the Winterfield Township Blight Ordinance.

SECTION II

PURPOSE

The purpose of this Ordinance is to promote the general health, safety and welfare of the residents and property owners of Winterfield Township by regulating and preventing, reducing, or eliminating blight or potential blight in the Township through the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the township.

SECTION III

PROHIBITED USES AND/OR ACTIVITIES

On and after the effective date of this Ordinance, no person, firm, corporation, or entity of any kind shall maintain or allow to be maintained upon any property in the Township of Winterfield owned, leased, rented, occupied, or possessed by such person, firm, corporation or entity of any kind any of the following uses, structures or activities which are hereby determined to be causes of blight or blighting factors which, if determined to be causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted or undesirable neighborhoods and threaten the public health, safety and welfare:

a) The parking or storage of "junk automobiles" outside of a completely enclosed building in any area (not including property for which a valid auto sales facility licensed by the State of Michigan and/or a valid junk-salvage yard permit issued by the Township is in effect) for a period in excess of 30 days.

For the purpose of this ordinance the term "junk automobile" shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan, and shall also include, whether licensed or not, any motor vehicle which is inoperable or does not have all its main component parts attached.

b) The storage of "building materials" outside of a completely enclosed building in any area for a period in excess of thirty (30) days, not including building materials stored on the site of property for which a valid building permit has been issued by the appropriate County or Township building official and where said materials for use in connection with such construction.

For the purpose of this Ordinance the term "building materials" shall include lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other material used in constructing any structure.

c) The storage of accumulation of junk, trash, rubbish or refuse of any kind outside of a completely enclosed building in any area (not including property for which a valid junk-salvage yard permit issued by the township is in effect) for a period in excess of 30 days.

For the purpose of this Ordinance the term "junk, trash, rubbish or refuse of any kind" shall include without limitations, motorized or unmotorized vehicles, metal, iron or parts thereof (including tires, wheels, engines, body parts, frames or any other portions of a vehicle), steel, cooper, brass, zinc, tin, lead, rope, rubber, rags, clothing, wood, plastic, paper, glass, garbage, appliances, mobile homes not meeting the minimum standards for inhabitation by humans, unusable trailers, televisions, furniture, or any other scrap or waste material of any kind, including parts of any of the above, but not including domestic refuse stored in such a manner as not to create a nuisance for a period not exceeding thirty (30) days, and not including fire wood stored in an orderly manner.

d) Any structure or part of structure which because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as dwelling, or useful for any other purpose for which it may have been intended.

e) It is prohibited to keep or maintain property in a condition which presents a serious risk of injury or harm to others (whether such individual is on the property with or without permission) including but not limited to allowing or maintaining an open hole or excavation, allowing or maintaining dead unburied animals, allowing or maintaining unsafe structures, or any other physical condition of the property which presents an unreasonable danger.

SECTION IV

PENALTIES AND ENFORCEMENT

a) Violation of this Ordinance shall be a misdemeanor punishable upon conviction by fine of not to exceed \$500 or by imprisonment in the County Jail for a period not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation exist shall constitute a separate offense.

b) The imposition of any fine and/or jail sentence shall not exempt the violator from compliance with the provisions of this ordinance. In addition to the criminal sanctions herein provided, Winterfield Township may institute injunctive proceedings or other appropriate civil proceedings to prevent, enjoin abate or remove any violation of this ordinance.

c) This Ordinance shall be enforced by such person or persons as may be designated by the Winterfield Township Board.

SECTION V

VALIDITY

Should any section, clause or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such holding shall not effect the validity of the Ordinance as a whole or any part thereof, other than the part so declared invalid.

SECTION VI

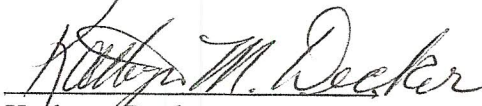
NON-REPEAL

This Ordinance shall not be construed to repeal by implication any other Ordinance of Winterfield Township pertaining to the same subject matter.

SECTION VII

EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after publication in a newspaper circulating within the Township of Winterfield , Clare County, Michigan


Kathryn Decker
Winterfield Township Clerk