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**BLIGHT PREVENTION ORDINANCE
TOWNSHIP OF SOUTH HAVEN, MICHIGAN
ord. no. 14 eff. Aug. 12, 1983**

An Ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within South Haven Township, Van Buren County, Michigan: To provide for the enforcement of the Ordinance and to provide penalties for the violation hereof, enacted in accordance with Act 344 of the Public Acts of 1945, as amended and Act 208 of the Public Acts of 1949.

THE TOWNSHIP OF SOUTH HAVEN ORDAINS:

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Sec. 1. TITLE.

This Ordinance shall be known and may be cited as the South Haven Township Anti-Blight Ordinance, being South Haven Township Ordinance No. 14.
(ord. no. 14 eff. Aug. 12, 1983)

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Sec. 2. PURPOSE.

Consistent with this letter and spirit of Act No. 344 of the Public Acts of 1945, as amended and Act 208 of the Public Acts of 1949, as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in South Haven 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, and to rehabilitate already blighted areas in the Township of South Haven.
(ord. no. 14 eff. Aug. 12, 1983)

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Sec. 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, and which if alleviated or remedied will tend to rehabilitate already blighted areas. On or 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 South Haven Township owned, leased, rented or occupied by such person, firm or corporation.

A. **SANITATION: INSECTS, RODENTS, VERMIN AND THEIR HARBORAGES.** All exterior property areas shall be maintained in a clean and sanitary condition, free from any accumulation of rubbish, garbage, refuse, manmade stagnant water, and other offensive or hazardous materials or items. In addition, all such areas shall be maintained free from vermin, rodents and any other harmful pests and their harborages. The above enumerations are to be interpreted as exemplary of objectionable conditions, substances, and harmful pests, but are not to be considered exhaustive enumerations of such.

B. **ACCUMULATION OF JUNK TRASH OR REFUSE.** All exterior property areas in public view shall be maintained free of 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. The term "junk" shall include but shall not be limited to: parts of machinery or motor vehicles, unused stoves or other appliances stored in the public view, remnants of wood, metal or any other material or other cast-off material of any kind whatsoever whether or not the same could be put to any reasonable use. All wood used for heating and for fireplace must be stacked or contained in a manner that is safe and orderly.

C. **STORAGE OF JUNK AUTOMOBILES.** All exterior property areas, excepting those licensed for the State of Michigan for the purpose of conducting a junk automobile business, shall be maintained free of the storage of "junk" automobiles. The term "junk automobiles" shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of sixty (60) days, and shall also include, whether so licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of sixty (60) days.

D. **VACANT PROPERTY.** All vacant property within this jurisdiction shall be maintained in the same manner and condition as required for exterior property areas.

E. **DANGEROUS AND UNSAFE DWELLINGS.** All exterior property areas shall be maintained free of any dangerous and unsafe dwelling. A dangerous and unsafe dwelling is as follows:

- a. Any dwelling, any portion of which has been damaged by wind, flood, fire or by any other cause in such a manner that its structural strength or stability is appreciably less than it was before such a catastrophe and is less than is required by the provisions of this ordinance.
- b. Any dwelling, any portion of which is likely to fall due to wind or other causes, to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- c. Any dwelling which, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting the dwelling, or for other reason, is likely to partially or completely collapse, or as to which some portion of the foundation or underpinning is likely to fall or give way.
- d. Any dwelling that has become vacant, dilapidated and open at door or window, leaving the interior of the dwelling exposed to the elements and accessible to entrance by trespassers.
- e. Any vacant building, formerly used or intended to be used for dwelling purposes, the existence of which, in the judgment of the enforcing agency, is detrimental to the public health, safety and general welfare.
- f. Any dwelling that for any reason whatsoever is manifestly unsafe for the purpose of which it is used or intended to be used.

F. STORAGE OF BUILDING MATERIALS. All exterior property areas in public view, excepting those areas utilized by a business which regularly conducts retail or wholesale purchases or sale of such materials, shall be maintained without the storage upon any premises of any building materials unless there is in full force and effect a valid building permit issued by the South Haven Township for construction upon said premises 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, fence posts and fencing material of either wood or metal, or any other materials used in constructing any structure or fence.

(ord. no. 14 eff. Aug. 12, 1983)

35.154 Sec. 4. ENFORCEMENT AND VIOLATIONS.

- A. This Ordinance shall be enforced by the South Haven Township Building Official or by such other person or persons as may be designated by the South Haven Township Board.
 - B. The owner, if known, and the occupant of any premises upon which any one or more of the causes of blight or blighting factors set forth in Section 3 [35.153] hereof are found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such premises within ten (10) days after service of notice upon him or them. This notice will be in writing and state the date of the inspection and name of the inspectors. It will include a description of the violation or violations and what must be done to correct the violation or violations. Such notice may be served personally or by certified mail, return receipt requested, addressed to the owner at the address shown on the latest South Haven Township Tax Rolls, and to the occupant at the address of the premises involved. Additional time may be granted to the enforcement officer where, in his opinion, bonafide efforts to remove or eliminate such causes of blight or blighting factors are being made.
 - C. Failure of the owner and/or occupant to comply with such notice within the time set forth in the notice shall constitute a violation of this Ordinance.
- (ord. no. 14 eff. Aug. 12, 1983)

35.155 Sec. 5. PENALTIES.

Violation of any of the terms of this Ordinance shall be a misdemeanor punishable upon conviction thereof by a fine not to exceed \$100.00 or by imprisonment not exceeding ninety (90) days, or by both, such fine and imprisonment in the discretion of the court. Each violation of this Ordinance shall be deemed an additional violation of each day or week that it continues.

(ord. no. 14 eff. Aug. 12, 1983)

35.156 Sec. 6. REPEAL CLAUSE.

All ordinances, or parts of ordinances in conflict herewith, are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

(ord. no. 14 eff. Aug. 12, 1983)

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Sec. 7. SEVERABILITY.

The separate provisions of this Ordinance are hereby declared to be severable and if any provision or section of this Ordinance is declared unconstitutional by a court of competent jurisdiction, the remaining provisions and sections of said Ordinance shall remain in full force and effect.
(ord. no. 14 eff. Aug. 12, 1983)

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Sec. 8. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after publication pursuant to law.

This Ordinance to be in full force and effect on and after August 12, 1983.

(ord. no. 14 eff. Aug. 12, 1983)

Adopted: July 6, 1983

Published: July 13, 1983