

**SOUTH HAVEN CHARTER TOWNSHIP
VAN BUREN COUNTY
ORDINANCE No. 63
Adopted: February 9, 2000
Effective: 30 days after publication after adoption**

An ordinance to prevent, reduce or eliminate blight, blighting factors, or causes of blight within South Haven Charter Township, Van Buren County, Michigan; to provide for the enforcement hereof; to provide penalties for the violation hereof; to provide for severability and repeal of conflicting ordinances; and to provide for an effective date.

**THE CHARTER TOWNSHIP OF SOUTH HAVEN
ORDAINS:**

Section 35.151: Title

This Ordinance shall be known and may be cited as the South Haven Township Anti-Blight Ordinance.

Section 35.152: Purpose

Consistent with the 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.

Section 35.153: Causes of Blight of 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 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 ten (10) days. The term

"junk" shall include but shall not be limited to: parts of machinery or motor vehicles, unused stoves or other appliances, 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 fireplaces 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 by 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 thirty (30) 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 thirty (30) 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 appreciable 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 OR BUILDING MATERIAL. All exterior property areas, except commercially or industrially zoned properties wherein outside storage of building materials is permitted, 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 South Haven Charter 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.

Section 35.154: Enforcement and Penalties

A. This ordinance shall be enforced by the Township Blight Officer or such other person or persons who shall be so authorized or designated by resolution of the Township Board.

B. The Township Blight Officer or such other person or persons who shall be so authorized or designated by resolution of the Township Board may grant a special temporary permit for storage of building materials, unlicensed or inoperable motor vehicles or other such blight factors. The Township Blight Officer or such other person who shall be so authorized or designated by resolution of the Township Board may attach such special conditions as he or she deems appropriate. Said permit may not exceed a duration of 120 days except by authorization of the Township Board.

C. The owner, occupant or person in control of any property upon which any of the causes of blight or blighting factors are found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 10 days after service of the notice upon him. Such notice may be served personally, by posting upon the structure, or by certified mail, return receipt requested. Failure to comply with such notice within the time allowed by the owner or occupant shall constitute a violation of this ordinance.

D. A person receiving notice of violation and who is denied a permit by the Township Blight Officer shall petition for hearing before the Township Board within 10 days from receiving said notice of violation or denial of special permit. The Township Board may affirm, deny or modify the decision of the Township Blight Officer or grant such relief as the Board determines reasonable.

E. Violation of this ordinance shall constitute a Misdemeanor, punishable by fine of up to \$500.00 or imprisonment in the Van Buren County Jail for a period not to exceed 90 days, or both. Each day on which any violation of this Township ordinance continues constitutes a separate violation and shall be subject to penalties and/or sanctions as a separate violation.

F. In addition to any remedies available at law, the Township may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of this ordinance.

Section 35.155: Severability and Repeal of Conflicting Ordinances

This Ordinance and the various parts, sections, subsections, sentences, phrases and clauses thereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this Ordinance shall not be affected hereby. The captions included at the beginning of each section are for convenience only and shall not be considered as part of this Ordinance. This Ordinance shall repeal all ordinances, or parts thereof, which are in conflict in whole or in part with any of the provisions of this Ordinance as of the effective date of this Ordinance, and in particular, South Haven Township Ordinance No. 14 is repealed by the adoption of this ordinance.

Section 35.156: Effective Date

This ordinance shall become effective 30 days after its publication after adoption.

Ordinance Received	01/12/00
Submittal Notice	01/31/00
Ordinance Adopted	02/09/00
Adoption Notice	03/06/00
Ordinance Effective	04/06/00