

Approved: June 11, 2002
Published: June 28, 2002
Effective: July 28, 2002

ORDINANCE NO. #27

**BLIGHT ORDINANCE
FOR THE TOWNSHIP OF POWELL**

An Ordinance to secure the public peace, health, safety, welfare and protection of the residents and property owners of the Township of Powell, Marquette County, Michigan, a municipal corporation, by preventing, reducing or eliminating blight, blighting factors or causes of blight within the Township of Powell; to provide penalties for the violation of this ordinance and to repeal any ordinances or parts of ordinances in conflict herewith.

The Township of Powell, Marquette County, Michigan ordains:

Section 1. NAME

This Ordinance shall be known and may be cited as the Township of Powell Blight Ordinance.

Section 2. PURPOSE

Consistent with the provisions of Public Act 344 of 1945, as amended, and Public Act 246 of 1945, as amended, it is the purpose of this Ordinance to prevent, reduce, or eliminate blight or potential blight in Powell Township by the prevention or elimination of contributing factors and causes of blight, which exist or which may exist in the future, in said Township.

Section 3. DEFINITIONS

The following described terms and words, when used herein, shall be deemed to have the following meanings set forth below:

A. BLIGHTED STRUCTURE

Any dwelling, garage, or outbuilding, or any factory, shop, store, office building, warehouse, or any other structure or part of a structure which:

1. Because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as a dwelling or useful for the purpose for which it was

originally intended;

2. Is partially completed and which is not presently being constructed under an existing, valid building permit issued by or under the authority of the County of Marquette and appropriate current permits have been issued by Powell Township; or,
3. Is not structurally sound, weather-tight, waterproof or vermin-proof; or,
4. Is not covered by a water resistant paint or other waterproof covering so as to protect said structure from the adverse effects of the elements or from physical deterioration.

B. BUILDING MATERIAL

Any lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, cement, nails, screws, or other material commonly used in the construction or repair of any buildings or structures.

C. JUNK

Any abandoned, discarded, unstable, or unused objects or equipment including, but not limited to, furniture, stoves, refrigerators, freezers, cans, implements, parts of motor vehicles, machinery, cloth, rubber, bottles, any metals, boxes, cartons, or crates.

D. PERSON

Any natural person, firm, association, partnership, or corporation.

E. VACANT BUILDINGS

Any building which is unoccupied and which is not securely locked, with the windows glazed or neatly boarded up and protected against the elements and from vandals and rodents and other animals.

Section 4. PROHIBITED CONDUCT

Except as otherwise permitted by law, no person within the Township of Powell shall:

- A. Store, accumulate, or permit the storage or accumulation of junk on premises, owned, leased, rented or occupied by him/her
- B. Store, accumulate, or permit the storage or accumulation of any building materials on property owned, leased, rented or occupied by him/her, unless said person holds a valid existing building permit issued by the County of Marquette and said person holds valid existing permits issued by Powell Township, as applicable.
- C. Maintain or permit the maintenance or existence of any vacant building on property owned, leased, rented or occupied by him/her.
- D. Maintain or permit the maintenance or existence of any blighted structure on property owned, leased, rented or occupied by him/her.

Section 5. NUISANCE

Any activities or conditions in violation of the provisions of this Ordinance are hereby declared to be a public nuisance. In addition to the other remedies provided for in this Ordinance, the Township Board may also institute proceedings for injunction, mandamus, abatement or other appropriate remedies to prevent, enjoin, abate or remove any violations of this ordinance. The imposition of payment of a simple penalty shall not exempt the violator from compliance with the provisions of this Ordinance.

Section 6. PENALTIES AND ENFORCEMENT

- A. Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed responsible for a civil infraction and shall be subject to a civil penalty of not more than Five Hundred Dollars (\$500.00) per each such infraction. Every day that a violation continues to exist shall constitute a separate infraction. Such penalty provision shall not preclude any other civil action against a violator for injunctive or other relief.

B. This Ordinance shall be enforced by the Supervisor of Powell Township, or by other person or persons as the Township Board may, by Resolution, from time to time, designate.

C. The Township Supervisor is hereby authorized to issue civil infraction citations/appearance tickets to those persons in violation of the provisions of this Ordinance.

Section 7. SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any clause, sentence, word or section, or provision is declared to be void or unenforceable, for any reason, by any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than the part or portion thereof.

Section 8. EFFECTIVE DATE

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

Approved by the Township Board of Powell Township on the 11th day of June, 2002.

Sarah J. Pelt
Sarah Pelt, Township Supervisor

Attest:

Diane J. Bues

Township Clerk

POWELL TOWNSHIP
ORDINANCE #27 DATE ADOPTED June 11, 2002

Resolution BLIGHT
RESOLUTION TO ADOPT ~~ORDINANCE~~ ORDINANCE # 27

WHEREAS,
Blithe violations are included in ORDINANCE # 2 MISCELLANIOUS DEBRIS and are sited as a criminal offense, allows 30 days to adhere to regulation and does not clearly define what one violation consists of.

WHEREAS,
The need to adopt a separate ordinance has become apparent.

WHEREAS,
The ordinance shall upon adoption shall include: A violations shall be a civil offense. Time for adherence to regulation shall be 30 with up to two additional 30 day periods possible. One violation is equal to one lot. Removal from Ordinance # 2.

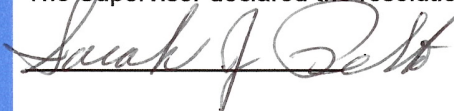
NOW, THEREFORE, BE IT RESOLVED that
We the Powell Township Board approve the above ordinance. To take effect 30 day after the publishing in the Mining Journal.

The foregoing resolution offered by Board Member Trustee Gamble.
Second offered by Board Member Clerk Burns.

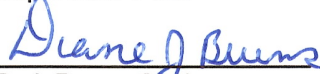
Upon roll call vote the following voted "aye": Bevins/Gamble/Pelto/Burns.

"nay": Wilcox

The Supervisor declared the resolution adopted.



Supervisor Pelto


D. J. Burns, Clerk

DATE: June 11, 2002