

TOWNSHIP OF FREMONT

BLIGHT ORDINANCE

Ordinance No. 105

An ordinance to protect the public health, safety and general welfare by eliminating blight within Fremont Township; to define and prohibit blight; to assess costs for blight removal; and to provide penalties for violations.

THE TOWNSHIP OF FREMONT 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:

- (a) The outdoor storage of any junk motor vehicle. The term "junk motor vehicle" shall include any motor vehicle which is not currently licensed, and which has been inoperable for any reason for a period in excess of thirty (30) days.
- (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 fourteen (14) days. The term "garbage" shall include food waste matter and discarded food containers, as well as any other household refuse.
- (c) The outdoor storage or 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, discarded building materials, and any inoperable or discarded machinery or materials. This section shall not apply to farm machinery which is located on a bonafide, operating farm, providing that the farm machinery is being kept for use in the farm operation.
- (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. The outdoor storage prohibition on semi-trailers shall not apply to semi-trailers which are currently licensed, insured, and have a valid MDOT certificate. Bonafide, operating farms may utilize unlicensed semi-trailers for farm storage. In addition, commercial or industrial enterprises located on C-Commercial or I-Industrial zoned property may utilize semi-trailers for storage purposes.
- (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, flood or other deterioration to the extent that they are no longer usable.

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 Fremont Township Zoning Ordinance.

ARTICLE II

Penalties and Enforcement

Section 2.1. 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 Fremont Township Civil Infraction Ordinance. Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Fremont Township Civil Infraction Ordinance.

Section 2.2. As an alternative to proceedings under Section 2.1, the Township may seek injunctive relief through Circuit Court to abate any violations. Any violation of this Ordinance shall constitute a nuisance per se.

Section 2.3. 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 Township. If such blight is not eliminated by the responsible party, the Township 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

The former Fremont Township Blight Ordinance, as adopted on December 9, 1992, is hereby repealed in its entirety.

ARTICLE IV

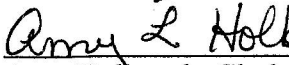
Enactment and Effective Date

Section 4.1. This Ordinance was adopted by the Fremont Township Board at a meeting duly held on the 7 day of April, 2011 and was published in the Tuscola County Advertiser on the 13 day of April, 2011.

Section 4.2. This Ordinance shall take effect thirty (30) days after the date of publication specified in Section 4.1.



Henry J. Wymore, Supervisor



Amy Holbrook, Clerk