

SHERMAN TOWNSHIP

ANTI-BLIGHT ORDINANCE

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Sherman Township, Gladwin County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by Public Act 344 of 1945, as amended, the Blighted Area Rehabilitation Act (MCL 125.71, et seq).

THE TOWNSHIP OF SHERMAN, GLADWIN COUNTY, MICHIGAN, ORDAINS:

Section 1: Purpose

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in Sherman 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 Sherman Township.

Section 2: 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. On and 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 Sherman Township owned, leased, rented or occupied by such person, firm or corporation.

In any area zoned for residential purposes, the storage upon any property of junk automobiles. For the purpose of this ordinance, the term 'junk automobiles' shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan, and shall also include, whether so licensed or not, any motor vehicle which is inoperative.

In any area zoned for residential purposes, the storage upon any property of building materials unless there is in force a valid building permit issued by Gladwin County for construction upon said property 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, or any other materials used in constructing any structure.

In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed 15 days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of woods, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.

In any area, the existence of any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable, if a dwelling, nor useful for any other purpose of which it may have been intended.

In any area, the existence of any vacant dwelling, garage or other out-building unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons.

In any area, the existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the county and unless such construction is completed within a reasonable time.

Section 3: Enforcement and Penalties

This ordinance shall be enforced by such persons who shall be so designated by the Township Board.

Any person or other entity, who violates any provision of this Ordinance, is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine of not more than \$500.00, plus cost, which may include all direct or indirect expenses to which the Township of Sherman has incurred in connection with the violation. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, all violations of the Ordinance or any part thereof are declared a nuisance per se. The Township of Sherman specifically reserves the right and shall have the authority to proceed in any Court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to abate said nuisance and to compel compliance with this Ordinance.

The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factor from such property within 10 days after service of the notice upon him.

Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the enforcement officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this ordinance.

Section 4: 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 affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5: Non-repeal

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

Section 6: Effective Date and Adoption

This Ordinance shall become effective thirty (30) days after its publication as required by law.

Approved May 2017