

# Blight Prevention Ordinance - 55

An ordinance to prevent, reduce, or eliminate blight within Norvell Township, Jackson 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 NORVELL, JACKSON 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 prohibit the depositing and accumulation of litter, and to limit and restrict the outside storage and parking of unused, partially dismantled or inoperable vehicles, watercraft and machinery upon public and private premises within Norvell Township, to provide restrictions concerning the repairing of said vehicles, watercraft and machinery; to avoid injury and hazards to children and others attracted to such litter, vehicles, watercraft and machinery; to prevent degradation of the environment caused by such litter, vehicles, watercraft and machinery; and to minimize the devaluation of property values and the psychological ill effects of the presence of such litter, vehicles, watercraft and machinery upon adjoining residents and property owners.

## Section 2: Definitions

- A. "Litter" means all garbage, scrap and waste materials including but not limited to; rags; cartons; paper; cans; bottles; boxes; inoperable and discarded appliances and equipment; broken or discarded plaster; concrete; or brick building materials; scrap metal; discarded vehicle or machinery parts or tires; and any other junk, rubbish or debris of any kind.
- B. "Vehicle" means any vehicle, motorized or not, operated or designed to be operated on public highways, streets or roads.
- C. "Watercraft" means a vessel propelled on water by oars, sail or an engine.
- D. "Machinery" means any machine, motorized or not, operated or designed to be operated for the purpose of agriculture, manufacturing, processing, construction or transportation.
- E. "Inoperable" means a vehicle, watercraft or machinery with any of the following conditions in existence:
1. Where it is being dismantled for the sale, salvage, repair or reclamation of parts thereof.
  2. Where it does not have all of its main component parts properly attached.
  3. Where any other additional conditions exist which cause the vehicle or watercraft to be incapable of being driven under its own power, lawfully, on the public streets or waterways.
  4. Where any other or additional conditions exist which cause the machinery to be incapable of being used for the purpose it was designed
  5. Unregistered or having registration that is not current.

### **Section 3: Causes of Public Nuisance or Public Nuisance Factors**

It is hereby determined that the following uses, structures and activities are causes of public nuisance or public nuisance 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 public nuisance or public nuisance factors upon any property in Norvell Township owned, leased, rented or occupied by such person, firm or corporation:

- A. In any area zoned for agricultural/residential purposes, the storage upon any property of inoperable vehicles, watercraft and machinery except in a completely enclosed building or in compliance with Section 8.5 of the Township Zoning Ordinance.
- B. In any area zoned for agricultural/residential purposes, the storage upon any property of building materials unless there is in force a valid building permit issued by Norvell Township for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include but shall 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.
- C. In any area zoned for agricultural/residential purposes, the storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored for a period not to exceed 30 days in such a manner as not to create a nuisance. 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.
- D. In any area zoned for agricultural/residential purposes, 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, or is unsafe/not useful for any other purpose of which it may have been intended.
- E. In any area zoned for agricultural/residential purposes, 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.
- F. In any area zoned for agricultural/residential purposes, 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 township and unless such construction is completed within a reasonable time.

### **Section 4: Enforcement and Penalties**

This Ordinance shall be enforced in accordance with the Norvell Township Municipal Civil Infractions Ordinance (Ordinance No. 54).

The owner, if possible, and the occupant of any property upon which any of the causes of public nuisance or public nuisance factors set forth in Section 3 hereof is found to exist shall be notified in writing to remove or eliminate such causes of public nuisance or public nuisance factors from such

property within 30 days after service of the notice upon them. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of public nuisance or public nuisance 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. Any person who violates any provision of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by, and shall be deemed punishable in accordance with, the Municipal Civil Infractions Ordinance.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which the Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$25.00 be ordered.

Any violation of the Ordinance shall also constitute a basis for a compliance order for injunctive relief against the violator, restraining and prohibiting continuation of the violation, in addition to any other relief or sanction herein set or otherwise allowed in the Municipal Civil Infractions Ordinance or other law.

#### **Section 5: Repeal**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided that this Ordinance shall not be construed to repeal any provision of the Zoning Ordinance or to supersede the Right To Farm Act.

#### **Section 6: Effective Date and Adoption**

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

#### **CERTIFICATE OF TOWNSHIP CLERK**

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Township Board of Norvell, Jackson County, Michigan, at a meeting held on December 13, 2023.

I hereby further certify that the following Township Board Members were present at the meeting: Sutherland, Sauers, Oswald, Francis, & Haystead and the following Township Board members were absent: None.

I further certify that Member Sutherland moved for the adoption of the Ordinance, and that motion was supported by Member Haystead.

I further certify that the following Norvell Township Board Members voted for the adoption of the Ordinance: Sutherland, Sauers, Oswald, Francis, & Haystead and that the following Norvell Township Board members voted against adoption of the Ordinance: None.

  
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Jeff Oswald,  
Norvell Township Clerk

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Norvell, do hereby certify that on December 26th, 2023, a Summary of the Ordinance adopted was duly published in a newspaper having general circulation within the Township.

A handwritten signature in black ink, appearing to read "Jeff Oswalt", written over a horizontal line.

Jeff Oswalt,  
Norvell Township Clerk