

**WHITEFISH TOWNSHIP
BLIGHT ELIMINATION ORDINANCE
ORDINANCE NO. 081304**

**THE TOWNSHIP OF WHITEFISH, COUNTY OF CHIPPEWA,
STATE OF MICHIGAN**

Adopted: August 13, 2004

Effective 30 days after publication

TITLE

This Ordinance shall be known and cited as the
Whitefish Township Blight Elimination Ordinance

PURPOSE

An Ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within or on properties and waters of Whitefish Township, Chippewa County, Michigan; to provide for the reporting of blighting factors; to provide for the enforcement thereof; to provide penalties for the violation thereof; to provide for an appeals process thereof.

Whitefish Township Ordains:

Section I - Definitions

As used in this Ordinance the following terms shall have the meanings prescribed in this section.

- A. "Blight" refers to a human caused environmental condition that is visually offensive and can be seen from adjacent property or public thoroughfare.
- B. "Building materials" includes but is not limited to lumber, bricks, cinder blocks, mortar, concrete, cement, plumbing or furnace material, ductwork, electrical wiring or equipment, shingles, nails, screws, or any materials used in construction of any structure.
- C. "Garbage" means rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or relate to the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables. "Garbage" does not include a compost pile consisting of decaying organic substances intended for fertilizing
- D. "Junk" by way of example and not limiting the term shall include used or salvaged metals and their compounds, tires or cars parts, non-functional machinery or motor vehicles, unused stoves or other appliances stored in the open.
- E. "Rubbish" means non-putrescible material from residential, commercial and institutional property, such as paper cartons, boxes, and barrels.

- F. "Person" shall include all natural persons, firms, co-partnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by servant, agent or employee. All persons who violate any provision of this Ordinance, whether as owner, occupant, lessee, agent, servant, or employee shall be equally liable as principals.
- G. "Structure" includes but is not limited to buildings, sheds, canopies, and carports.

Section II – 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 Whitefish Township, owned, leased, rented or occupied by such person, firm or corporation.

- A. In any area zoned for residential purposes, the storage upon any property of junk automobiles, except in a completely enclosed building.
For the purpose of this ordinance the term "junk automobiles" shall include but not limited to any motor vehicle, which is non-functional and in a state of disrepair.
- B. 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 the County for construction upon said property and said materials are intended for use in connection with such construction. When a person is in progress of doing a home improvement or project that does not require a building permit, building materials may be stored up to six(6) months in open view.
- C. In any area, the storage or accumulation of junk, rubbish, garbage 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 fifteen (15) days.
- D. 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 nor useful for any other purpose of which it may have been intended.
- E. 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 allotted time. In the case of a structure that does not require a building permit, six (6) months is allotted for completion.

Section III – Blight and Blight Factor Reports

- A. The blight enforcement officer [Sec. IV, A] and citizens reporting blight or blight factors must complete “Blight Reporting Form”. All fields must be completed with the exception of complainant name. The citizen complainant may choose to remain anonymous. From this form the blight enforcement officer will determine if additional investigation is warranted.

Section IV – Enforcement and Penalties

- A. This Ordinance shall be enforced by such person(s) who shall be so designated by the Township Board and authorized to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.
- B. 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 II hereof is found to exist, shall be notified in writing (Blight Notice) to remove or eliminate such causes of blight or blighting factors from such property within sixty (60) days after being served notice. Such notice may be served in person 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.
- C. The owner or occupant being served with a Blight Notice may petition the Township Board at the next regular meeting for extension or dismissal of said notice. The form “Blight Notice Petition for Review” must be filled out in it’s entirety by the owner or occupant and presented for Township Board review. If the Township Board reaffirms the original Blight Notice, the owner or occupant must comply with the original Blight Notice time interval.
- D. Failure to comply with the Blight Notice within the time allowed shall constitute a violation of this ordinance. Any person(s) who violates any provisions of this Ordinance shall be responsible for a “Civil Infraction” and shall pay a fine of \$500. The cost of elimination of the blighting factors by the Township, including reasonable attorney fees, may be collected in a lawsuit against the owner or occupant of the property on which the blight or blight factors exist and/or against the person(s) who committed, created, or maintained the blight.

Section V – Effective Date

- A. This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township as required by law.

- B. This Ordinance was adopted by the Township Board of the Township of Whitefish, Chippewa County, Michigan.

By: _____
William C. Mangham
Whitefish Township Supervisor

By: _____
Wanda Knox
Whitefish Township Clerk