

MARATHON TOWNSHIP

REGULATING BLIGHT

ORDINANCE NO. 2017.1

An ordinance to repeal Ordinance No. 2010.2 and adopt a new ordinance regulating blight and blighting conditions, and to prescribe penalties for violations thereof.

THE TOWNSHIP OF MARATHON ORDAINS:

Section 1. Purpose.

The purpose of this ordinance is to advance the public health, safety and welfare of Township residents through the prevention, reduction or elimination of blight or certain environmental causes of blight.

Section 2. Causes of Blight or Blighting Factors

It is 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 or undesirable properties. 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 the Township owned, leased, rented or occupied by such person, firm or corporation.

- A. In any area zoned for residential and/or commercial 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 (1) any motor vehicle which is not licensed and insured for use upon the highways of the State of Michigan for a period in excess of thirty (30) days; or (2) whether licensed or not, any motor vehicle which is inoperative for any reason. In any litigation arising under this ordinance, testimony that any motor vehicle, or parts thereof have been observed in the same place for a period of thirty (30) consecutive days shall constitute prima facie evidence that such motor vehicle or parts thereof is inoperable, unusable or unused under this ordinance.
- B. In any area zoned for residential and/or commercial purposes, the storage upon any property of building materials, except in a completely enclosed building, unless there is in force a valid building permit issued by the Township for construction upon the property and the materials are intended for use in connection with that 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.

- C. In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind, except in a completely enclosed building. Domestic refuse shall be allowed if stored in such a manner as not to create a nuisance and is stored ten (10) feet from any residential structure, for a period not to exceed seven (7) days. The term "junk" shall include, but shall not be limited to, parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of woods, metals or cast-off material of any kind, whether or not it could be put to any reasonable use.
- 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 as a dwelling or useful for the purpose for which it may have been intended.
- E. In any area, the existence of any vacant or abandoned dwelling, garage or other outbuilding unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise kept protected against the elements, animals, vandals or entry by unauthorized persons.
- F. 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 Township and unless such construction is completed within a reasonable time.
- G. In any area, the storage of machinery parts or business or work-related tools or materials except in a completely enclosed building.
- H. In any area, the existence of any abandoned or non-functional pool or hot tub unless drained and kept free of standing water, completely covered and surrounded by a locked enclosure.
- I. The dumping or landfilling of any junk, garbage or junk motor vehicles. 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.

Section 3. Enforcement and Penalties.

- (A) Any violation of this ordinance is designated as a municipal civil infraction and violators shall be subject to the civil fines, sanctions, remedies and procedures as set forth in Ordinance No. 96-2, the Township Municipal Civil Infraction Ordinance.
- (B) A violation of this ordinance shall also be deemed a public nuisance and the Township is hereby authorized to enter into and upon that person's

land to abate the nuisance and to assess against the property all costs and expenses it incurs abating the nuisance.

Section 4. Repeal of Ordinance No. 2010.2.

The Township hereby repeals Ordinance No. 2010.2 in its entirety.

Section 5. Effective Date.

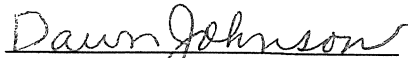
This Ordinance shall become effective thirty (30) days after publication.


At a regular meeting of the Board of Trustees of Marathon Township held on Tuesday January 12, 2017, adoption of the foregoing ordinance was moved by Moorhouse and supported by Glesenkamp.

Voting for: Moorhouse, Johnson, Kinder, Glesenkamp, Fuller

Voting against: None

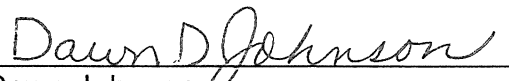
The supervisor declared the ordinance adopted.


Dawn Johnson
Township Clerk


Fred Moorhouse
Township Supervisor

CERTIFICATION

The foregoing is a true copy of Ordinance No.2017.1 which was enacted by the Marathon Township Board of Trustees at a regular meeting held on Tuesday, January 12, 2017.


Dawn Johnson
Township Clerk