

**ANTI-BLIGHT ORDINANCE  
ORDINANCE NO. 2.20A  
PROPOSED**

**TUSCOLA TOWNSHIP**

An ordinance to secure the public health, safety, and welfare of the residents and property owners of the Township of Tuscola, Tuscola County, Michigan, by the regulation and prevention of blight within said Township; to provide for the enforcement thereof; and to provide penalties for the violation thereof. Pursuant to the enacting authority therefore provided by Public Act 344 of the Public Acts of 1945, as amended.

Section 1. Name.

This ordinance shall be known and cited as the **“Tuscola Township Anti-Blight Ordinance”**.

Section 2. Purpose.

*Definition: Blight is defined as any condition, circumstance or state of being which serves to lower, impair or reduce the true market value of real or personal property through negligence or damage, intentionally or unintentionally; or any condition, circumstance or state of being which serves to pose a hazard to the health, safety, or well being of any or all residents of Tuscola Township.*

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this Ordinance to promote the general health, safety and welfare of the residents and property owners of the Township of Tuscola by regulating and preventing, reducing or eliminating blight, or potential blight in the Township through the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the Township.

Section 3. Causes of Blight or Blighting Factors; Offenses designated. On and after the effective date of this ordinance, no person, firm, corporation, or entity of any kind shall maintain or allow to be maintained upon any property in the Township of Tuscola owned, leased, rented or occupied or possessed by such person, firm, corporation or entity of any kind any of the following uses, structures or activities which are hereby determined to be causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods and threaten the public health, safety and welfare. Conditions of blight as defined within this Ordinance shall include but shall not be limited to:

a) The parking or storage of “junk vehicles”, and/or inoperable farm equipment or farm implements, outside of a completely enclosed building in any area (not including property for which a valid junk-salvage yard permit issued by the Township is in effect) for a period in excess of thirty (30) days.

For the purpose of this ordinance the term “junk vehicles”, (i.e. motorcycles or snowmobiles, ATV’s, RV’s, etc.) Shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan, and/or any motor vehicle, whether licensed or not, which is inoperable or does not have all its main component parts attached, i.e. motor, fender, chassis, transmission, hood, trunk, etc.

b) The storage of “building materials” outside of a completely enclosed building in any area for a period in excess of thirty (30) days, not including building materials used for a legally operated business, and

building materials stored on the site of property for which a valid building permit has been issued by the appropriate Tuscola County or Tuscola Township building official and where said materials are intended for use in connection with such construction.

For the purpose of this ordinance the term “building materials” shall include lumber, bricks, concrete, 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) The storage or accumulation of junk, trash, rubbish or refuse of any kind outside of a completely enclosed building in any area (not including property for which a valid landfill permit issued by the Township is in effect) for a period in excess of thirty (30) days.

The term “junk” shall include parts of machinery or motor vehicles, unused stoves or other appliances stored or left in the open, remnants of wood, 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) Any structure or part of structure which because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as a dwelling, or useful for any other purpose for which it may have been intended.

e) The existence of any vacant dwelling, garage or other outbuilding, 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) The existence of any partially completed structure unless such structure is in the course of construction in accordance with all local and State Laws and Regulations and unless such construction is completed within a reasonable time.

g) The untended growth of vegetation, weeds and/or grasses in excess of twelve (12) inches in length which comprise a hazard to health or safety, excluding undeveloped “wooded lots”.

h) Any used or discarded tires that are allowed to be a breeding environment for mosquitoes shall be deemed a threat to public health and as such shall comprise a blight condition per se.

#### Section 4. Penalties and Enforcement.

a) Notification: 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 3 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten (10) days after service of the notice upon them. Such notice may be served personally or by the United States Post Office. 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.

b) Violation of this ordinance shall be a misdemeanor punishable upon conviction by fine not to exceed \$100.00 or by imprisonment in the County Jail for a period not exceeding ninety (90) days or by both such fine and imprisonment. Each day that a violation exists shall constitute a separate offense.

c) This ordinance shall be enforced by such person or persons as may be designated by the Tuscola Township Board.

Section 5. 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 6. Non-Repeal.

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

Section 7. Effective Date.

This Ordinance shall become effective thirty (30) days after publication in a newspaper circulating within the Township of Tuscola, Tuscola County, and Michigan.

Adopted as amended by the Tuscola Township Board September 9, 1997

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MARY LOU BLASIUS  
Tuscola Township Clerk

DATE: OCTOBER 1, 1999