

**TOWNSHIP OF SELMA
COUNTY OF WEXFORD, MICHIGAN**

At a regular meeting of the Township Board of the Township of Selma, held at the Township Hall, 4101 South 35 Road, Cadillac, Michigan, on the 13th day of June, 2017, at 7:00 p.m.

PRESENT: Boyd, Perrin, Keith, Hettich, Zakrajsek

ABSENT: None

The following ordinance was offered by Member Boyd and supported by Member Keith.

ORDINANCE NO. 2017-07

AN ORDINANCE TO AMEND THE SELMA TOWNSHIP BLIGHT ELIMINATION ORDINANCE, ORDINANCE NO. 2012-51, BY THE ADOPTION OF MUNICIPAL CIVIL INFRACTION PENALTIES

THE TOWNSHIP OF SELMA ORDAINS:

Section 1. Municipal Civil Infractions. Section 3 of the Selma Township Blight Elimination Ordinance, Ordinance No. 2012-51, is hereby amended so as to read in its entirety as follows:

Section 3: Enforcement and Penalties

- (a) This ordinance shall be enforced by such person who shall be so designated by the Township Board.
- (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 2 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 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 bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- (c) Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this ordinance.
- (d) A violation of this ordinance is a municipal civil infraction, for which the fines shall be not less than \$250 for the first violation and not less than

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NO. 2012-51, AS AMENDED BY ORDINANCE NO. 2017-07**

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An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Selma Township, Wexford 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 SELMA, WEXFORD COUNTY, MICHIGAN, ORDAINS:

Section 1: Purpose

Consistent with the letter and spirit of Public Act 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in Selma Township by prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in Selma 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 Selma Township owned, leased, rented or occupied by such person, firm or corporation.

In any area zoned for residential purpose, 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 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 purpose, the storage upon any property or building materials unless there is in force a valid building permit issued by Wexford County for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include but 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,

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remnants of woods, metal or any other material or other cast-off material or 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, not 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 building is 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 Wexford County and unless such construction is completed within a reasonable time.

Section 3: Enforcement and Penalties

- (a) This ordinance shall be enforced by such person who shall be so designated by the Township Board.
- (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 2 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 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 bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- (c) Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this ordinance.
- (d) A violation of this ordinance is a municipal civil infraction, for which the fines shall be not less than \$250 for the first violation and not less than \$500 for a subsequent violation, and in addition to all other costs and expenses provided by law. For purposes of this subsection, a subsequent offense means a violation of the provisions of this ordinance committed by the same person within six months of a previous violation of the same provision for which the person admitted responsibility or was determined to be responsible.
- (e) Each day during which any violation continues shall be deemed a separate offense.

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- (f) In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law, including costs and attorney's fees.

Section 4; Effective Date and Adoption

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

Section 5; Exceptions

This shall not include trucks or motor vehicles or other powered instrumentalities that are used for removal of snow from private residences and which are operable but not necessarily licensed, insured or registered under the laws or the State of Michigan.

Carole Peltier
6-13-17