

**TOWNSHIP OF NAHMA
BLIGHT PREVENTION ORDINANCE
NO: 1-94
AMENDED JUNE 7-2021**

An **ORDINANCE** to protect the Public Health and Safety, to preserve Property Values, through the Regulation of abandoned or unusable vehicles, equipment, trash, refuse, building materials, and the maintenance of unsafe structures.

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Section 1: Purpose

To provide a clean, orderly, healthy, and attractive environment throughout Nahma_Township, thereby providing its residents a pleasant place to reside.

Section 2: Storage of Junk Motor Vehicles

It shall be unlawful for any person to store or to permit the storage of accumulation of junk motor vehicles on any private property in the township except within a completely enclosed building, or in an area screened by natural objects, plantings, fences, or grade of the land or as not to be visible from the public roadway or adjoining property dwellings. Under no conditions are junk motor vehicles allowed in R-1 districts.

Automobiles of a classic or antique nature or vintage that are in the process of restoration or conversion as so declared by the owner in a statement to the Nahma Township Board shall not be considered junk motor vehicles. Any such statement by a landowner to the Nahma Township Board must be accompanied by a suitable fee to be determined by the Nahma Township Board. The fee will be returned to the applicant upon complete restoration of said vehicle or upon compliance with other arrangements made with the Nahma Township Board. Complete restoration shall be defined as the vehicle in a position to be legally operated upon the public ways.

Section 3: Storage of Trash, Refuse, Junk, Abandoned Vehicles and Domestic Refuse

It shall be unlawful for any person to store or permit the storage or accumulation of trash, refuse, junk, or abandoned vehicles on any private property in the Township, except within a completely enclosed building or in an area screened by natural objects, plantings, fences, or grade of land so as not to be visible from the public roadway or adjoining property dwellings.

All domestic refuse generated by a person shall be disposed of frequently enough to protect the public health. Disposal upon a person's own land is permitted providing it does not create a hazard to health and is permitted by state or county law.

The accumulation of trash, refuse, and junk which causes or creates a health hazard, as determined by the Delta-Menominee District Health Department, shall not be permitted.

Wood or wood products usually used or intended to be used as property owner's personal firewood in a residence or any accessory structure shall be permitted to be stored and accumulated on any property with no screening requirements.

Section 4: Unsafe Structures

It shall be unlawful for any person to keep or maintain any blighted or vacant structures, dwelling, garage, out-buildings, factory, shop, store, or warehouse unless it is kept securely closed, the windows kept glazed or neatly boarded up and otherwise protected to prevent entrance into by unauthorized persons or unless the structure is in the course of construction in accordance with a valid building permit issued by the Delta County Building Department, and unless the construction is completed within 300 days from the date the building permit is issued, with extension of additional 90 day periods upon presentation to the enforcing officer of a written affidavit that the structure will be completed within a reasonable time and efforts have been made to prevent entrance into the structure by unauthorized persons.

Section 5: Storage of Building Materials

It shall be unlawful for any person to store or permit the storage or accumulation of building materials on any private property, except in a completely enclosed building or where building materials are neatly piled or setback a distance of 75 feet from a public right-of-way or in an area screened by natural object, plantings, or grade of the land so as not to be visible from the public roadway or adjoining property dwellings, or except where such building materials are part of the stock in trade or business located on the property, or except when the materials are being used in the construction of a structure on the property or improvements to the structure and such construction is completed within a reasonable time.

Section 6: Housing Farm Animals

The use of parts of motor vehicles and all types of trailers to house animals and fowl in Nahma Township shall be prohibited.

Section 7: Enforcing Officer

The Ordinance shall be enforced by the Township Supervisor.

Section 8: Complaints

All complaint from the public regarding alleged violations of this Ordinance must be signed and submitted in writing to the enforcement office, who will investigate such violations and take action as provided for within this Ordinance.

Section 9: Notice of Violation of Ordinance

The owner, if possible, or occupant of any property upon which an accumulation or storage of trash, refuse, junk, junk motor vehicles, abandoned vehicles, domestic refuse or building

materials or an unsafe structure exists in violation of the provisions of this Ordinance shall be contacted by personal visits or letter by the Township Supervisor describing the complaint and what action is necessary to remove or eliminate such factors from the property. If after 30 days of this initial contact no action has been taken, the Township will pursue enforcement of this zoning ordinance against the landowner or offending party through criminal or civil proceedings.

Section 10: Penalties.

Each violation of this Ordinance shall be a separate misdemeanor which shall be punishable upon conviction by a fine not exceeding \$500.00 or by imprisonment not exceeding 90 days or by both fine and imprisonment at the discretion of the court.

If a violation occurs and the Township deems it necessary to correct the violation, the Township may secure an Order of Abatement from the local court to do so. Any costs and expenses to secure the Order of Abatement and to correct the violation including actual attorney fees shall be charged to the Landowner. This shall be sent in the form of an invoice to the Landowner and must be paid within 30 days. If the invoice is not paid within 30 days, the charge will be placed on the tax rolls as a lien on the property.

Section 11: Savings Clause

Should any section, clause or provision of this Ordinance be declared by any court to be invalid, the invalid provisions shall not affect the validity of the remaining portions of this Ordinance or any part other than the part so declared to be invalid.

Section 12: Repealing Clause

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 13: Definitions

The following words or terms shall have the meanings below:

- (a) **“Abandoned Vehicle”** shall include, without limitation, any vehicle which has remained on private property for a period of 48 continuous hours, or more, without the consent of the owner or occupant of the property, or for a period of 48 continuous hours or more after the consent of the owner or occupant of the property has been revoked.
- (b) **“Building Materials”** shall include, without limitation, lumber, brick, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete, cement, nails, screws, or any other materials used in constructing any structure.

- (c) **"Domestic Refuse"** shall include rejected food waste, including, waste accumulation of animals, fruit or vegetable matter, used or intended for food or that attends the the preparation, use, cooking, dealing in, or storing meats, fish, fowl, fruit, or vegetable. Compost piles are exempt from this definition.
- (d) **"Junk"** shall include without limitation, parts of machinery, or motor vehicles, equipment totally inoperable or irreparable, broken, and unused furniture, stoves, refrigerators or other appliances, metal or any other cast-off material of any kind, Remnants of wood shall not include wood or wood products usually used or intended to be used as firewood in a residence or any accessory structure.
- (e) **"Junk Motor Vehicle"** shall be:
- a) any motor vehicle that is not in operating condition nor meeting the minimum requirements of the Michigan Vehicle Code Act 300 of 1939, being, but not limited to, four wheels with inflated tires, a working battery, an engine in running condition, and a gear train capable of moving the vehicle at any time.
 - b) any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of 60 days; provided that there is excepted from this definition unlicensed, but operative vehicles which are used for snowplowing or farm equipment.
 - c) any motorized vehicles that are kept as the stock in trade of a regularly licensed and established new or used automobile dealer or other motorized vehicles; or
 - d) any motor vehicle that is inoperable due to mechanical failure provided that the time limit such vehicles may remain upon the premises shall be a period of 120 days with extension of additional 30-day periods upon presentation to the enforcing officer of written proof the offending vehicles is involved in insurance claims litigation or a similar matter and additional time is required for settlement before a vehicle can be moved.
- (f) **"Person"** shall include any individual, proprietorship, firm, public or private corporation, partnership, trust, public or private agency or any other entity, or any group of such persons.
- (g) **"Trash" and "Refuse"** shall include any and all forms of debris not otherwise classified.
- (h) **"Utility Value"** is defined as a term used by the insurance industry to describe: that a structure is insurable.
- (i) **"Unsafe Structures"** shall include, without limitation, any dwelling, garage, or outbuilding, or any factory, shop, store, office building, warehouse or any other 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, which no longer has utility value.

Section 14: Effective Date and Adoption

This Ordinance, being necessary to protect the public health and welfare, was adopted by the Nahma Township Board on June 6, 1994. It was amended on June 7, 2021 by the Nahma Township Board.

This Ordinance was published in -- Escanaba Daily Press and at www.nahmatownship.us -- on June 9, 2021 and will become effective on July 10, 2021, 30 days after it was published.

Nahma Township Clerk *Michelle Lass*

Published
Effective Date July 10, 2021

I hereby certify that the forgoing is a true and complete copy of an Ordinance that was adopted by the Township Board of Nahma, Delta County, Michigan, at a regular meeting held on June 7, 2021

Nahma Township Clerk *Michelle Lass*

Date _____

We the undersigned request that the property owned by _____
_____ and located at the following address _____

In Nahma Township, comply with Nahma Township Blight Ordinance NO. 1-94 that was adopted by the Nahma Township Board on June 6, 1994 and amended by the Nahma Township Board on June 7, 2021.

Description of violation _____

Signature of Complainant

- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____
- 10 _____
- 11 _____
- 12 _____
- 13 _____
- 14 _____
- 15 _____
- 16 _____
- 17 _____
- 18 _____
- 19 _____
- 20 _____