

City of Au Gres
Blight Ordinance
Adopted 12-6-2016
Effective 6-6-2017

Purpose and intent of ordinance:

It is hereby determined that the storage or accumulation of trash, rubbish, junk, junk automobiles, abandoned vehicles, building materials and the maintenance of blighted structures upon any private property within the City tends to result in blighted and deteriorated neighborhoods, decrease in property values, the increase in criminal activity, the spread of vermin and disease and is contrary to the public peace, health, safety and general welfare of the community.

Definitions:

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Blighted structure: Any dwelling, garage or outbuilding, or any factory, shop, store, warehouse or any other structure or part of a structure which, because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as a dwelling, nor useful for the purpose for which it may have been intended.

Building materials: Lumber, brick, concrete or cinder blocks, plumbing materials, electric wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in construction of any structure.

Junk: Parts of machinery or motor vehicles, unused furniture, stoves, refrigerators or other appliances, remnants of wood, metal or any other castoff material of any kind, whether or not the same could be put to any reasonable use.

Junk Automobiles: Any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period of excess of 90 days, and shall also include, whether licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of 180 days; provided, however, that there is excepted from this definition unlicensed, but operative, vehicles which are kept as the stock in trade of regularly licensed and established new or used automobile dealer. Also excepted from this definition are unlicensed, inoperative or operative vehicles which are kept as stock for licensed auto body repair shops.

Person: All natural persons, firms, co-partnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee. All persons who violate any of the provisions of this ordinance, whether as owner, occupant, lessee, agent, servant or employee shall, except as provided in this ordinance, be equally liable as principals.

Trash and Rubbish: Any and All forms of debris not otherwise classified in this article.

Prohibited Acts; Exceptions:

1. Storage or accumulation of junk: It shall be unlawful for any person to store, or to permit the storage or accumulation of trash, rubbish, junk, junk automobiles or abandoned vehicles on any private property in the village except within a completely enclosed building or upon the premises of a duly licensed junk dealer, junk buyer, dealer in used auto parts, dealer in secondhand goods or junk gatherer.
2. Dismantling or disassembling automobiles: It shall be unlawful for any person to dismantle, cut up, remove parts from or otherwise disassemble any automobile whether or not the automobile is a junk automobile, abandoned vehicle or otherwise, or any appliance or machinery, except by a duly licensed junk dealer, junk buyer, dealer in used auto parts, dealer in secondhand goods or junk gatherer.
3. Keeping or maintaining blighted or vacant structures: It shall be unlawful for any person to keep or maintain any blighted or vacant structure, dwelling, garage, outbuilding, factory, shop, store or warehouse unless the same is kept securely locked, the windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by unauthorized persons, or unless such structure is in the course of construction in accordance with a valid building permit issued by the City of Au Gres and Arenac County Building Department, and unless such construction is completed within the time period allowed for by the building permits.
4. Storage or accumulation 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 except where such building materials are part of the stock in trade of a business located on such property, or except when such materials are being used in the construction of a structure on the property in accordance with a valid building permit issued by the City of Au Gres and Arenac County Building Department, and unless such construction is completed within the time period allowed for by the building permits.

Removal of junk automobiles or parts; building materials, junk, trash and rubbish; disposal; obligations of owners:

The City Manager or other designated person may remove or cause to be removed any junk automobile or abandoned vehicle, or parts of either, building materials, junk, trash and rubbish, from any unenclosed private property after having notified, in writing, the owner or occupant of such property of his/her intention to do so at least 48 hours prior to such removal. Such notice shall be served personally upon the owner or occupant of the property, if occupied, or may be posted in a conspicuous place upon vacant or unoccupied property. Such junk automobiles or abandoned vehicles, or parts of either, shall be removed to the automobile pound and disposed of in accordance with law. Such building materials, junk, trash and rubbish shall be removed to proper disposal sites within accordance to the law. Such removal by the City Manager or other designated person shall not excuse or relive any person of the obligation for storage or accumulation of junk automobiles or abandoned vehicles, or parts from either, building materials, junk, trash and rubbish nor from the penalties for violation of this ordinance.

Penalty:

1. Any person, persons or entity violating any of the provisions of this ordinance shall be responsible for a municipal civil infraction.
2. First offense will be a fine of \$300
3. Second offense will be a fine of \$600
4. Third offense will come be a fine of \$1,500
5. Any infraction shall also include reimbursement of any costs taken on by the City of Au Gres to remove such items defined in this ordinance, and to enforce the ordinance.