

**ARCADIA TOWNSHIP  
MANISTEE COUNTY, MICHIGAN  
ORDINANCE NO. 2005-002  
ARCADIA TOWNSHIP ANTI-BLIGHT ORDINANCE**

**ADOPTED: December 8, 2005**

**EFFECTIVE: January 15, 2006**

An Ordinance to secure the public health, safety and welfare of the residents and property owners of Arcadia Township, Manistee County, Michigan, by the regulating, preventing, reducing or eliminating of blight, blighting factors or cause of blight within said Township; to provide civil sanctions and remedies for the violation thereof; and to preserve any Ordinance or parts thereof which pertain to the same subject matter.

THE TOWNSHIP OF ARCADIA,  
MANISTEE COUNTY, MICHIGAN,

ORDAINS:

SECTION I

TITLE

This Ordinance shall be known and may be cited as the Arcadia Township Anti-Blight Ordinance.

SECTION II

PURPOSE

The purpose of this Ordinance is to promote and preserve the general health, safety and welfare of the residents and property owners of Arcadia Township 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 III

#### PROHIBITION OF CAUSES OF BLIGHT OR BLIGHTING FACTORS

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 Arcadia owned, leased, rented or occupied or possessed by such person, firm, corporation or entity any of the following conditions 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 conditions and threaten the public health, safety and welfare:

- a. The parking or storage of any "junk vehicle" outside of a completely enclosed building in any area (except on property zoned and otherwise fully approved by the Township for use as a junk/salvage yard, or within a sanitary landfill licensed by the State of Michigan).
- b. The storage or accumulation of "building materials" outside of a completely enclosed building in any area for a period in excess of fourteen (14) days (except 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 Township building official and where said materials are intended for use in connection with such construction).
- c. The storage or accumulation of "junk, trash, rubbish or refuse of any kind" outside of a completely enclosed building in any area for a period in excess of fourteen (14) days (except on property zoned and otherwise fully approved by the Township for use as a junk/salvage yard, or within a sanitary landfill licensed by the State of Michigan).
- d. Any building or structure or part thereof which is a "dangerous building".

### SECTION IV

#### DEFINITIONS

For the purpose of enforcing the provisions of this Ordinance, certain terms and words used herein shall have the following meaning:

- a. "junk vehicle" shall mean any motor vehicle which is not currently and validly licensed for use upon the public streets and highways of the State of Michigan; and any motor vehicle, whether licensed or not, which is inoperable or does not have all its main component parts attached.

- b. "inoperable" motor vehicle shall mean any motor vehicle which is being dismantled for the sale, salvage, repair or reclamation of parts thereof; or which does not have all of its main component parts properly attached; or which is incapable of being driven under its own power, lawfully, upon the public streets as a result of any other or additional conditions.
- c. "main component parts" shall mean fenders, hood, wheels, radiator, motor, windows, doors, muffler, body or essential parts of the engine, and all such other parts or equipment as are necessary for the vehicle to be lawfully driven upon the public streets pursuant to the Michigan Vehicle Code, being 1949 Public Act 300, as amended.
- d. "building materials" shall mean 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.
- e. "junk, trash, rubbish or refuse of any kind" shall mean unmotorized vehicles or conveyances not usable for the purposes for which they were manufactured, or parts or components thereof; or scrap or waste metal, iron, steel, copper, brass, zinc, tin, lead, rope, rubber, rags, clothing, wood, plastic, paper, glass or garbage; or appliances, televisions or furniture; or mobile homes not meeting the minimum standards for inhabitation by humans; or trailers or watercraft not usable for the purposes for which they were manufactured; or concrete, brick or other materials from demolished structures; or any other scrap or waste material of any kind, including parts of any of the above. This term shall not include firewood stored in an orderly manner, and shall also not include domestic refuse stored for fourteen (14) or fewer days in such a manner as not to become offensive by reason of odors, insects, rodents, pollution, litter, inadequate or improperly covered containers for the same, the lack of such containers, or the improper depositing of such material into or around such containers, or in such a manner as to otherwise create a nuisance.
- f. "dangerous building" means any building or structure, including any mobile home or house trailer, residential or otherwise, that has one or more of the following defects or is in one or more of the following conditions:
  - 1. A door, aisle, passageway, stairway or other means of exit does not conform to the Township Building Code.
  - 2. A portion of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the

building or structure is appreciably less than it was before the catastrophe and does not meet the minimum requirements of the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being section 125.401 et seq. of the Michigan Compiled Laws, or the Township Building Code for a new building or structure, purpose or location.

3. A part of the building or structure is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.
4. A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Section 125.401 et seq. of the Michigan Compiled Laws, or the Township Building Code.
5. The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, or the removal or movement of some portion of the ground necessary for support, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
6. The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used.
7. The building or structure is damaged by fire, wind or flood, or is dilapidated or deteriorated and becomes an attractive nuisance to children who might play in the building or structure to their danger, or becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.
8. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the health officer of the township or county determines is likely to cause sickness or disease, or is likely to injure the health, safety or general welfare of people living in the dwelling.
9. The building or structure is vacant, dilapidated and open at a door or window, leaving the interior of the building exposed to the

elements or accessible to entrance by trespassers.

- g. "Township Building Code" means the construction code(s) administered and enforced by the Township pursuant to the State Construction Code Commission Act, Act No. 230 of the Public Acts of 1972, as amended, being section 125.1501 et seq. of the Michigan Compiled Laws.

## SECTION V

### VIOLATIONS AND ENFORCEMENT

- a. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or who causes, allows, consents to, or aids or abets any of same, shall be deemed to be responsible for a violation of this Ordinance. Each day that a violation exists shall constitute a separate offense for enforcement purposes. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal.
- b. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
▪ 1st offense	\$ 150.00	---
▪ 2nd offense	\$ 325.00	---
▪ 3rd or subsequent offense	\$ 500.00	---

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

- c. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- d. This Ordinance shall be enforced by the Ordinance Enforcement Officer(s) of Arcadia Township, and by such other person or persons as the Township Board may designate.

SECTION VI

SEVERABILITY

If any part of this Ordinance is declared by a court of competent jurisdiction to be invalid or unenforceable, the balance of the Ordinance shall remain in full force and effect.

SECTION VII

REPEAL/NONREPEAL

All Ordinances or parts of ordinances in conflict herewith are hereby repealed; provided that this Ordinance shall not be construed to repeal expressly or by implication any provision of the Township Building Code, the Township Zoning Ordinance, or any other ordinance pertaining to the same subject matter as this ordinance that does not conflict herewith.

SECTION VIII

EFFECTIVE DATE

This Ordinance shall become effective thirty days after publication as required by law.

Eveyln Wilson  
Arcadia Township Clerk