

VILLAGE OF EDWARDSBURG

CASS COUNTY, MICHIGAN

No. 125

BLIGHT ORDINANCE

AN ORDINANCE TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS OR CAUSES OF BLIGHT WITHIN THE VILLAGE OF EDWARDSBURG, CASS COUNTY, MICHIGAN PURSUANT TO THE ENACTING AUTHORITY THEREFOR PROVIDED BY ACT 344 OF THE PUBLIC ACTS OF 1945, AS AMENDED; TO PROVIDE FOR THE ENFORCEMENT THEREOF; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE VILLAGE OF EDWARDSBURG, CASS COUNTY, MICHIGAN ORDINANS:

SECTION 1. PURPOSE.

Consistent with the letter and spirit of Act No. 344 of the Public Acts of 1945, as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in the Village of Edwardsburg by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in said Village.

SECTION 2. CAUSES OF BLIGHT OR BLIGHTING FACTORS.

It is hereby determined that the uses, structures and activities hereinafter listed 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 the Village of Edwardsburg owned, leased, rented or occupied by such person, firm or corporation.

A. Building Materials.

No storage of building materials shall be stored on any lot in a residential district except in an enclosed area in the rear yard unless there is in force a valid building permit issued by the Village of Edwardsburg for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include, but shall 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

B. Junk, Trash, Rubbish or Refuse.

In any area, the storage of 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 fifteen days. The term "junk" shall include, but not be limited to, unused stoves or other appliances stored in the open, remnants of wood except wood which has been cut and stacked for burning purposes, and metal or any other material or other cast-off material of any kind useable or unuseable whether "trash, rubbish, or refuse" shall have their ordinary meaning and, in addition, these terms shall include any and all forms of debris not herein otherwise classified.

C. Deteriorated or Uninhabitable Structures.

In any area, the existence of any structure or part of any structure which, because of physical deterioration, is no longer habitable, if a dwelling, or is no longer useful for any purpose for which it may have been intended.

D. Vacant Structures.

In any area, the existence of any vacant dwelling, garage or other out-building unless such buildings are kept and are otherwise protected to prevent entrance thereto by vandals or other unauthorized persons.

E. Partially Completed Structures.

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 unexpired building permit issued by the Village of Edwardsburg and unless such construction is completed within a reasonable time.

SECTION 3. ENFORCEMENT.

A. Enforcement Officer.

This Ordinance shall be enforced by such persons who shall be so designated by the Village Board.

B. Notice to Remove or Eliminate Blight.

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 ten days after service of the notice upon such person. Such notice shall 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. Violation of Ordinance.

Failure of the owner and/or occupant to comply with such notice within time allowed shall constitute a violation of this Ordinance.

SECTION 4. PENALTIES FOR VIOLATION.

Violation of this Ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding five hundred (\$500.00) dollars or by imprisonment for not exceeding ninety (90) days or by both such fine and imprisonment in the discretion of the Court.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, words, section, or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not effect any portion of the Ordinance other than said part of portion thereof.

SECTION 6. REPEALER CLAUSE.

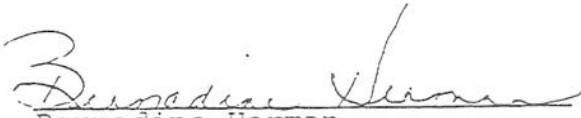
This Ordinance shall be in addition to any other ordinances or laws dealing with rubbish, refuse, litter, trash or junk control or regulation. However, all other ordinances or parts of ordinances inconsistent, or in conflict herewith, are hereby expressly repealed to the extent of conflict.

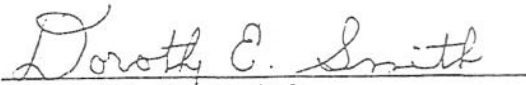
SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective thirty-one (31) days after its publication as required by law.

SECTION 8. ADOPTION DATE.

This Ordinance is hereby declared to have been adopted by the Village Board of the Village of Edwardsburg, County of Cass, State of Michigan at a regular meeting thereof held on the Twentieth day of November, 1989.


Bernadine Herman
Village Clerk


Dorothy E. Smith
Village President