

TOWNSHIP OF WELLS

Tuscola County, Michigan

BLIGHT ORDINANCE

Amendment

Ordinance No. 11-01

An ordinance to protect the public health, safety and general welfare by eliminating blight within Wells Township; to define and prohibit blight; to assess costs for blight removal; and to provide penalties for violation.

THE TOWNSHIP OF WELLS ORDAINS:

ARTICLE I

Blight Defined and Prohibited

Section 1.1. It is hereby determined that the uses of land described in this Article constitute blight which, if allowed to exist, will result in unsafe, unsanitary and undesirable conditions.

Section 1.2. No person shall maintain or permit to be maintained any of the following types of blight upon any premises owned, rented, or occupied by such persons:

- (a) The outdoor storage of any junk motor vehicle. The term “junk motor vehicle” shall include any motor vehicle which is not currently licensed, and which has been inoperable for any reason for a period in excess of thirty (30) days.
- (b) The storage or accumulation of garbage of any kind except domestic refuse originating on the premises and stored in a sanitary manner for a period not to exceed fourteen (14) days. The term “garbage” shall include food waste matter and discarded food containers, as well as any other household refuse.
- (c) The outdoor storage or accumulation of junk. The term “junk” shall include machinery parts, tires, containers, motor vehicle parts, mobile home components, tin cans, unused appliances, metal remnants, cast-off materials, inoperable equipment, discarded building materials, and any inoperable or discarded machinery or materials. This section shall not apply to farm machinery which is located on a bonafide, operating farm with a Farm Service Agency number, providing the farm machinery is being kept for use in the farm operation.
- (d) The outdoor storage of mobile homes (other than those actually used and occupied for dwelling purposes), truck bodies, bus bodies or semi-trailers, either as vacant units or storage units. This shall not apply to semi-trailers which are currently licensed, insured, and have a valid MDOT certificate. Farms meeting the exception requirements of subsection © above may also utilize up to two unlicensed semi-trailers for farm storage. In addition, commercial or industrial enterprises located on C-Commercial or I-Industrial zoned property may utilize one (1) semi-trailer for storage purposes.

- (e) The dumping or landfilling of any junk or garbage. The term “dumping or landfilling” shall include burying or otherwise disposing of items on property not licensed as a landfill pursuant to the Michigan Solid Waste Management Act.
- (f) The existence of buildings or structures which have been so damaged by fire, wind, flood or other deterioration that they are no longer usable.

Section 1.3. Sections 1.2(a), (c) and (d) of this Ordinance shall not apply to recycling facilities, junkyards or salvage yards with approved zoning variances or which have been granted special approval under the Wells Township Zoning Ordinance.

ARTICLE II

Penalties and Enforcement

Section 2.1. Any person, firm or corporation who violates any of the provisions of this ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine **of not less than Five Hundred (\$500)** plus costs and other sanctions, for each infraction. ~~pursuant to the Wells Township Civil Infraction Ordinance.~~ Repeat offenses under this ordinance shall be subject to increased fines as provided for in the Wells Township Civil Infraction Ordinance.

Section 2.2. As an alternative to proceedings under section 2.1, the Township may seek injunctive relief through Circuit Court to abate any violation. Any violation of this Ordinance shall constitute a nuisance per se.

Section 2.3. Any person found responsible for blight shall eliminate such blight and shall be liable for the cost of elimination of the blight, including attorney fees incurred by the Township. If such blight is not eliminated by the responsible party, the Township may cause such blight to be eliminated and bill the cost to the responsible party. The cost of such blight elimination if it is not voluntarily paid for by the responsible party shall be assessed against the property on the next tax roll.

ARTICLE III

Enactment and Effective Date

Section 4.1. This Ordinance was adopted by the Wells Township Board at a meeting duly held on the 9 day of September, 2021 and was published in the Tuscola County Advertiser on the 29 day of September, 2021.

Section 4.2. This Ordinance shall take effect thirty (30) days after the date of publication specified in Section 4.1.

Kristin Wright, Clerk

Karen Varney, Supervisor

