

**ANTI-BLIGHT ORDINANCE**

An Ordinance to prevent, reduce or eliminate blight, blighting factors, or causes of blight within the Village of Otisville, Genesee County, Michigan; to provide for the enforcement hereof; and to provide for the violation hereof.

**THE VILLAGE OF OTISVILLE ORDAINS:**

**1. PURPOSE.** It is the purpose of this Ordinance to prevent, reduce or eliminate blight in the Village of Otisville by the prevention or elimination of contributing factors and causes of blight which exists or which may in the future exist in the Village of Otisville.

**2. DEFINITIONS.** The following words or terms, when used herein, shall be deemed to have the meanings set forth below:

- A. Blighted structure - any dwelling, garage, or out building, or any factory, shop, store, office building, warehouse, or any other structure or part of a structure which:
  - 1. Because of fire, wind, other natural disaster, or physical deterioration, is no longer habitable as a dwelling or useful for the purpose for which it was originally intended; or
  - 2. Is partially completed and which is not presently being constructed under an existing, valid building permit issued by or under the authority of the Village of Otisville; or
  - 3. Is not structurally sound, weather-tight, waterproof or vermin-proof; or
  - 4. Is not covered by a water resistant paint or other waterproof covering so as to protect said structure from adverse effects of the elements or from physical deterioration.
- B. Building Material - any lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, cement nails, screws, or other material commonly used in the construction or repair of any buildings or structures
- C. Enforcement Officer - Enforcement Officer means the Village of Otisville Building Inspector, any Village of Otisville Police Officer, or other person designated by the Village Council of the Village of Otisville to enforce the provisions of this Ordinance.
- D. Junk - Any abandoned, discarded, unusable, or unused objects or equipment including, but not limited to, furniture, stoves, refrigerators, freezers, cans, implements, parts of motor vehicles, machinery, cloth, rubber, bottles, any metals, boxes, cartons, or crates.
- E. Person - Any natural person, firm, association, partnership, or corporation.

- F. Vacant buildings - Any building which is unoccupied and which is not securely locked, with the windows glazed or neatly boarded up and not protected against the elements and from vandals and rodents and other animals.

**3. PROHIBITED CONDUCT.** Except as may otherwise be permitted by the holding of a specific permit issued by the Village of Otisville or by Village of Otisville Ordinance, no person in the Village of Otisville shall:

- A. Store, accumulate, or permit the storage or accumulation of junk on premises owned, leased, rented, or occupied by him.
- B. Store, accumulate, or permit the storage or accumulation of any building materials on property owned, leased, rented or occupied by him for any period longer than reasonably necessary for the immediate use of such materials, but in no event longer than sixty (60) days.
- C. Maintain or permit the maintenance or existence of any vacant building on property owned, leased, rented or occupied by him.
- D. Maintain or permit the maintenance or existence of any blighted structure on property owned, leased, rented, or occupied by him.
- E. Store or permit the storage of firewood on property owned, leased, rented or occupied by him except in a neat, orderly stack to a height no greater than five (5) feet. The storage of firewood shall be restricted to the rear yard or an interior side yard of the premises.

#### **4. ENFORCEMENT**

- A. Before commencing prosecution under this Ordinance, the enforcement officer shall notify the violator(s) of the existence of a violation under section 3 above. Such notice shall be in writing and served upon the violator(s), either personally or by first class mail sent to the last known address of the violator(s) or to the common address of the property upon which the violation exists. The violator(s) shall be given ten (10) days from the date of personal service or twelve days from the date of mailing the notice to remedy the violation.
- B. Each day a violation under this Ordinance continues to exist shall be considered a separate violation subject to the penalties hereinafter set forth.

**5. PENALTY** Failure to comply with the notice given by the enforcement officer within the time allowed shall be punishable, upon conviction, by a fine of not more than one hundred (\$100.00) dollars or imprisonment of not more than thirty (30) days or by both such fine and imprisonment in the discretion of the court.

**6. APPEAL** Where the enforcement of any part of this Ordinance constitutes a hardship, and upon appeal by the proprietor, the Village Council may waive any such part of this Ordinance as it deems necessary.

7. **SEVERABILITY.** The sections and provisions of this Ordinance are declared to be severable and any portion which is declared inoperative or invalid for any reasons by a court of competent jurisdiction shall in no way affect the remaining sections or provisions of this Ordinance.

8. **DATE OF EFFECT.** This Ordinance shall take effect ten (10) days after publication as set forth below.

9. **APPROVAL** This Ordinance was approved by a vote of the Otisville Village Council, a quorum being present on the 21st day of November 1994, and ordered published in three public places in the Village of Otisville.

  
\_\_\_\_\_  
ROBERT PRICE  
Village President

  
\_\_\_\_\_  
JEAN GRISWOLD  
Village Clerk