

RONALD TOWNSHIP ORDINANCE NO. 91-1

RONALD TOWNSHIP ANTI-BLIGHT ORDINANCE

AN ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE RESIDENTS, PROPERTY OWNERS AND OTHER PERSONS WITHIN THE TOWNSHIP OF RONALD, IONIA COUNTY, MICHIGAN, BY REGULATING, PREVENTING, REDUCING OR ELIMINATING BLIGHT, BLIGHTING FACTORS AND CAUSES OF BLIGHT WITHIN THE TOWNSHIP; AND TO PROVIDE PENALTIES FOR VIOLATION OF THE ORDINANCE.

THE TOWNSHIP OF RONALD, IONIA COUNTY, MICHIGAN, ORDAINS:

Sec. 1. Title.

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

Sec. 2. Purpose.

The purpose of this Ordinance is to protect the general health, safety and welfare of the residents, property owners, and other persons within the Township of Ronald by regulating, and thereby 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; and to provide penalties for violation of the Ordinance.

Sec. 3. Definitions.

The following words and terms are defined for purposes of their use in this Ordinance. Any word or term not defined in this Ordinance shall be considered to be defined in accordance with its common or standard definition.

- (a) "Building materials" shall include 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.
- (b) "Junk automobile" shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan, and shall also include, whether licensed or not, any motor vehicle which is inoperable or does not have all of its main component parts attached.
- (c) "Junk, trash, rubbish or refuse of any kind" shall include, without limitation, motorized or non-motorized vehicles, metal, iron, steel, copper, brass, zinc, tin, lead, rope, rubber, rags, clothing, wood, plastic, paper, glass, garbage, appliances, mobile homes not meeting the minimum standards for habitation by humans, unusable trailers, televisions,



furniture, or any other scrap or waste material of any kind, including parts of any of the above, but not including domestic refuse stored for a period not exceeding 30 days in a manner so as not to create a nuisance, and not including firewood stored in an orderly manner.

- (d) "Noxious weeds" shall include Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*Ambrosial elatior* L.) and poison ivy (*Rhus toxicodendron*), poison sumac (*Toxicodendron vernix*) or other plants which in the opinion of the Township Board are regarded as a common nuisance.

Sec. 4. Causes of Blight or Blighting Factors; Offenses Designated.

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 within the Township which is owned, leased, rented or occupied or possessed by the person, firm, corporation or entity any of the following uses, structures, activities or conditions which are hereby determined to be causes of blight or blighting factors and which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods or areas and threaten the public health, safety and welfare:

- (a) The parking or storage of "junk automobiles" outside of a completely enclosed building in any area (not including property for which a valid junk or salvage yard license issued by the Township or other appropriate governmental body is in effect) for a period in excess of 30 days.
- (b) The storage of "building materials" outside of a completely enclosed building in any area for a period in excess of 30 days, not including building materials used for a legally operated business, and not including building materials stored on the site of property for which a valid building permit has been issued by the appropriate County or Township building official if the materials are intended for use in connection with construction on the property.
- (c) The storage or accumulation of junk, trash, rubbish or refuse of any kind outside of a completely enclosed building in any area (not including property for which a valid junk or salvage yard license issued by the Township or other appropriate governmental body is in effect) for a period in excess of 30 days.
- (d) Any structure or part of structure which because of fire, wind, or other natural disaster, or physical deterioration,

is no longer habitable as a dwelling, or useful for any other purpose for which it may have been intended and which has remained uninhabitable or unusable for its intended purpose for a period in excess of 1 year.

(e) The growth of noxious weeds, or the growth of grass or weeds other than noxious weeds higher than 12 inches, from May 1 until the following October 1 of each year in any of the following locations:

- (1) On any lot on which a residential dwelling is located, within 50 feet in any direction from any portion of the dwelling; or
- (2) On a platted lot or a lot located within a residential subdivision or residential condominium development on which a residential dwelling is not located (i.e., an undeveloped lot), where 50% of the lots within the plat subdivision or development have residential dwellings on them, within 50 feet from any public street and within 50 feet of any residential dwelling on any adjacent lot. This subsection shall not apply to the growth of grass or weeds other than noxious weeds higher than 12 inches on any portion of undeveloped property located behind a wooded tree line or which is otherwise not visible from any adjacent developed lot or from any adjacent public street.

Sec. 5. Violations; Nuisance; Remedies; Enforcement.

- (a) Any person, firm or corporation which violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this Ordinance shall be punished for each offense, upon conviction, by a fine not to exceed \$500.00 together with the costs of prosecution, or by imprisonment in the county jail for a period not exceeding 90 days, or by both fine and imprisonment, in the discretion of the Court. Each day during which a violation occurs or continues shall constitute a separate offense.
- (b) Maintenance of, or allowing the maintenance of, any cause of blight or blighting factor as defined in this Ordinance, in violation of this Ordinance, is hereby determined to be detrimental to the health, safety and general welfare of the residents, property owners, and other persons within Ronald Township, and is deemed to be a public nuisance. In addition to any other remedy available at law, the Township may bring an action for injunctive relief or other process to restrain or prevent any person from violating, or continuing to violate, the provisions of this Ordinance.
- (c) Any person who violates any of the provisions contained in this Ordinance, whether as owner, lessee, permittee, licensee,

agent, servant, employee or in any other capacity, shall be liable as a principal.

- (d) This Ordinance shall be enforced by the person or persons as may be designated by the Ronald Township Board.

Sec. 6. Severability.

This Ordinance and its various parts, sections, paragraphs, subsections, sentences, phrases and clauses are hereby declared to be severable. If any part, section, paragraph, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Sec. 7. Effective Date.

This Ordinance shall take effect thirty (30) days after publication in a newspaper of general circulation within Ronald Township.

Robert Tasker
Robert Tasker

Ronald Township Supervisor

Marge Powell
Marge Powell

Township Clerk

Moved by Margie Powell, seconded by Mary Ann Towersey,
that the foregoing Ordinance be adopted.

Yeas: Robert Tasker, Margie Powell, Mary Ann Towersey,
Margaret Hammond, Arthur Pelon

Nays:

Absent:

I certify that the Ordinance as set forth above was adopted by the Ronald Township Board in regular session on Monday
June 17, 1991 and that it was published in Seventimes
Standard on July 15, 1991. Further, I certify that an attested copy of the Ordinance was filed with the Ionia County Clerk on July 10, 1991.

Marge Powell
Marge Powell

Township Clerk

AN ORDINANCE TO AMEND SECTION 5 OF
RONALD TOWNSHIP ORDINANCE NO. 91-1

THE TOWNSHIP OF RONALD, IONIA COUNTY, MICHIGAN, ORDAINS:

Sec. 1. Section 5 of Ronald Township Ordinance No. 91-1, an ordinance to protect the public health, safety, and welfare of the residents, property owners and other persons within the Township of Ronald, Ionia County, Michigan, by regulating, preventing, reducing or eliminating blight, blighting factors and causes of blight within the Township; and to provide penalties for violation of the ordinance, is amended as follows:

Sec. 5. Violations; Nuisance; Remedies; Enforcement.

(a) Unless specified otherwise in this ordinance, violations of this ordinance shall be a municipal civil infraction which is an act or omission that is prohibited, made or declared to be unlawful, or an offense by this ordinance, but which is not a crime under this ordinance, and for which civil sanctions including without limitation, fines, damages, expenses, and costs may be ordered as authorized by Act 236 of Public Act of 1961, as amended, subject to the following provisions:

(1) Sanctions for a violation of a civil infraction shall be a civil fine in the amount of not less than \$50.00, plus other costs, damages, expenses, and other sanctions for each infraction.

(2) Increased civil fines may be imposed for repeat violations by a person of any requirement or provision of this ordinance. As used in this section, "repeat offenses" means a second or subsequent municipal civil infraction violation of the same requirement or provision (i) committed by a person within any one year period unless some other period is specifically provided by this ordinance and (ii) for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided by this ordinance for a particular municipal civil infraction violation, the increased fine for a repeat offense shall be as follows:

a. The fine for any offense which is a first repeat offense shall be no less than \$250.00, plus costs.

b. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be no less than \$500.00, plus costs per offense.

- (3) Failure to answer a citation or notice to appear in court for a municipal civil infraction is a misdemeanor violation punishable by a fine of not more than \$500.00, plus costs, or by imprisonment for a term not to exceed 90 days, or both fine and imprisonment.
 - (4) Failure to comply with an order, judgment, or default in payment of a civil fine, costs, damage, or expenses so ordered may result in enforcement actions, including but not limited to imprisonment, collections, placement of liens or other remedies as permitted in Chapter 87 of Act 236 of Public Acts of 1961, as amended.
 - (5) A municipal civil infraction is not a lesser included offense of a criminal offense or an ordinance violation that is not a civil infraction.
- (b) It shall be a misdemeanor, punishable upon conviction by a fine of not more than \$500.00, plus other costs, imprisonment for a term not to exceed 90 days, or both fine and imprisonment; for any person who makes a knowing false statement, representation or certification in an application, report, record, plan or other document filed or required to be maintained pursuant to this ordinance or other state or federal law.
 - (c) Maintenance of, or allowing the maintenance of, any cause of blight or blighting factor as defined in this ordinance, in violation of this ordinance, is hereby determined to be detrimental to the health, safety and general welfare of the residents, property owners, and other persons within Ronald Township and is deemed a public nuisance. Any violation of this ordinance shall constitute a basis for injunctive relief against the violator to restrain and prohibit the violator from continuing the violation, in addition to any other relief or penalty provided by this ordinance or allowed by law.
 - (d) It shall constitute a separate or repeat offense for each day on which a violation of the ordinance continues and shall be subject to penalties or sanctions as a separate or repeat offense.
 - (e) Any person who violates any of the provisions contained in this ordinance, whether as owner, lessee, permittee, licensee, agent, servant, employee or in any other capacity shall be liable as a principle.
 - (f) This ordinance shall be enforced by the person or persons designated by the Ronald Township board. A municipal civil infraction action may be commenced upon the issuance of a municipal civil infraction citation directing the alleged violator to appear in court.

- (g) The prohibitions and penalties provided by this ordinance shall be in addition to, and not exclusive of, prohibitions and penalties provided by other applicable laws, finances, rules or regulations.

Sec. 2. Severability.

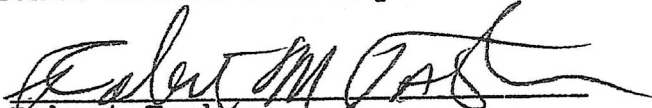
This ordinance and its various parts, sections, paragraphs, subsections, sentences, phrases and clauses are declared to be severable. If any part, section, paragraph, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be effected.


Sec. 3. Non-repeal.

This ordinance shall not be construed to repeal any other section of Ronald Township Ordinance No. 91-1.

Sec. 4. Effective Date.

This ordinance shall take effect 30 days after publication in a newspaper of general circulation within Ronald Township.


Robert Tasker
Ronald Township Supervisor


Arthur Pelon
Township Clerk

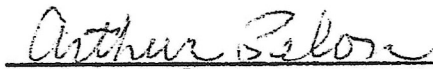
Moved by Gerald Burrows, seconded by Margaret Hammond, that the foregoing ordinance be adopted.

Yes: Margaret Hammond, Arthur Pelon, Margie Powell,
Gerald Burrows, Robert Tasker.

No: None

Absent: None

I certify that the ordinance as set forth above was adopted by the Ronald Township Board in regular session on March 20, 1995, 1995, and that it was published in Ionia Sentinel - Standard on April 17, 1995, 1995. Further, I certify that an attested copy of the ordinance was filed with the Ionia County Clerk on _____, 1995.


Arthur Pelon
Township Clerk