

TOWNSHIP OF LINCOLN
COUNTY OF MIDLAND STATE OF MICHIGAN

ORDINANCE NO. 5

ANTI - BLIGHT ORDINANCE

An Ordinance to secure the public health, safety, and general welfare of the residents and property owners of the Township of Lincoln, Midland County, Michigan, by the regulation, preventing, reducing or eliminating blight, blighting factors or causes of blight within said Township, to provide for the enforcement thereof, and to provide penalties for the violation thereof.

**THE TOWNSHIP OF LINCOLN, MIDLAND COUNTY, MICHIGAN,
PURSUANT TO THE AUTHORITY VESTED IN IT BY ACT 12 OF THE
PUBLIC ACTS OF THE STATE OF MICHIGAN FOR 1929, AS AMENDED,
ORDAINS:**

Section I. - Title

This ordinance shall be known and cited as the Lincoln Township Anti - Blight Ordinance.

Section II. INTENT.

The purpose of this Ordinance is to promote the general health, safety and welfare of the residents by 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 exist in the Township in the future.

SECTION III. CAUSES OF BLIGHT OR BLIGHTING FACTORS; OFFENSES DESIGNATED.

On and after the effective date of this Ordinance, no person, firm, corporation or entity of any kind, shall allow to exist any of the following uses, structures 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 neighborhoods and threaten the public health, safety, and welfare of the residents of Lincoln Township:

1. ~~Overgrown grass and weeds shall not be allowed in areas zoned as residential, R-2 High Density or in platted subdivisions or residential PUD's in the R-1 district.~~
2. ~~+~~ The storage or accumulation of junk, junk motor vehicles, trash, rubbish, litter, or refuse of any kind outside of a completely enclosed building, or not within fifty (50) feet of any property line within one hundred fifty (150) of any dwelling and not in the front yard of the property (not including property for which a valid

junkyard permit issued by the Township is in effect) for a period in excess of thirty (30) days. All outside permitted storage must be screened from sight.

For the purpose of this Ordinance, the term "junk, trash, rubbish, litter, or refuse of any kind" shall include, without limitation motorized or non-motorized vehicles, metal, iron, steel, copper, brass, 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 in such a manner to create a nuisance for a period not exceeding sixty (60) days, and not including firewood stored in an orderly manner.

For the purposes of this Ordinance, the term "junk motor vehicle" shall include, whether licensed or not, any motor vehicle which is inoperable or does not have all its main component parts attached.

3. ~~2.~~ The accumulation of tires for recycle, resale or disposal shall not be allowed.
4. ~~3.~~ 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.
5. ~~4.~~ Property owners may request a Special Use Permit as per Article Chapter 12 of Lincoln Township Ordinance 1202

SECTION IV. ENFORCEMENT.

This Ordinance shall be enforced by such person or persons as may be designated by the Lincoln Township Board.

SECTION V. VALIDITY.

Should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such holding shall not effect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION VI.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION VII. VIOLATIONS DECLARED A NUISANCE PER SE

All violations of this Ordinance or any part thereof are declared a nuisance per se.

SECTION VIII. PENALTIES.

Any person or other entity who violates any provision of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine of not more than \$500.00, plus costs, which may include all direct or indirect expenses to which the Township of Lincoln has been put in connection with the violation. In no case, however, shall costs of less than \$25.00 or more than \$500.00 be ordered.

SECTION VIx. ADDITIONAL REMEDIES

In addition to the foregoing provisions relating to Penalties, the Township specifically reserves the right and shall have the authority to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to abate said all violations and the nuisances thereby created and to compel compliance with this Ordinance. Each day that a violation shall continue is to constitute a separate offense.

SECTION X. CERTIFICATION

This ordinance shall become effective on the ____day following publication thereof.

Adopted by the Board of Trustees of the Township of Lincoln, Midland County,

Michigan on _____, 2000

Dated: _____

Gerald Nightlinger
Township Supervisor

Dated: _____

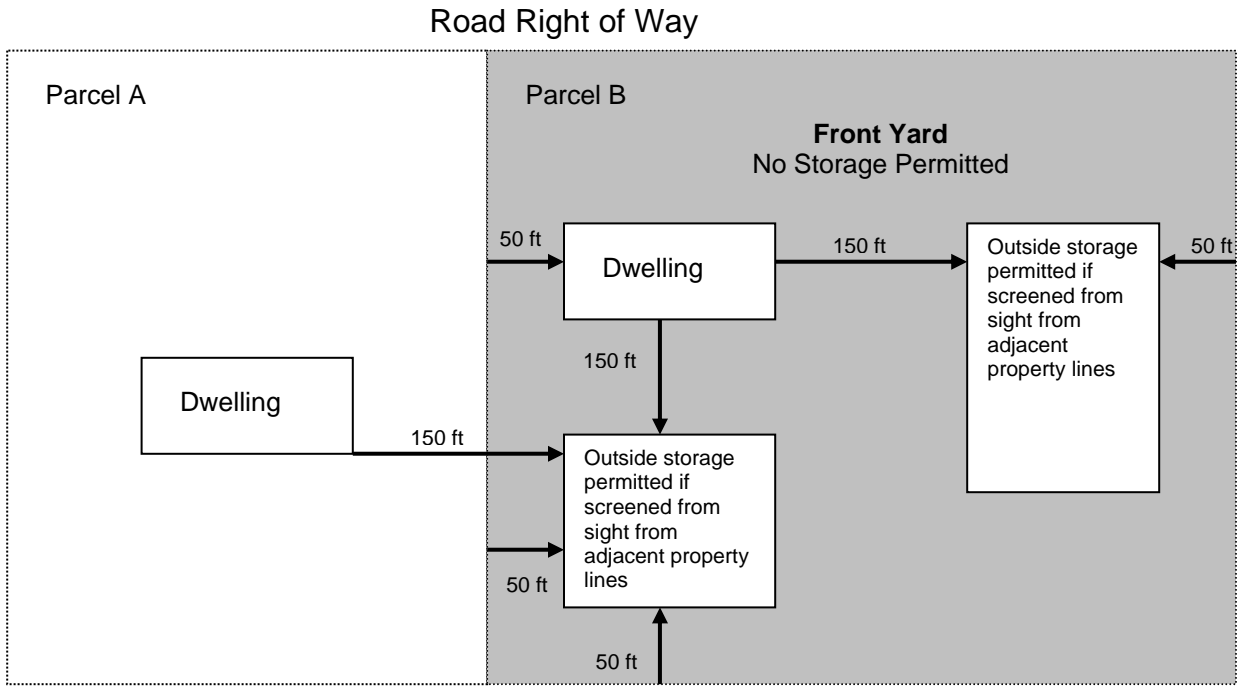
Delmar Tomlinson
Township Clerk

Certification

The above Ordinance No. _____ was adopted at a meeting of the Lincoln Township Board on _____ day of _____, 2000, and published in the Midland Daily News, a newspaper of general circulation in the Township of Lincoln on the _____ day of _____, 2000

Delmar Tomlinson
Township Clerk

Storage and accumulation areas as described in Section 3, item 1



Legend

No storage of materials in this area in excess of 30 days except in completely enclosed buildings.

