

COUNTY OF CLARE, STATE OF MICHIGAN
TOWNSHIP OF GARFIELD ORDINANCE NO. 22

ANTI-BLIGHT ORDINANCE

Adopted: May 29, 2001
Effective July 1, 2001

An ordinance to secure the public health, safety and general welfare of the residents and property owners of Garfield Township, Clare County, Michigan, by regulating, 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.

BOARD OF GARFIELD TOWNSHIP, CLARE COUNTY, MICHIGAN ORDAINS:

SECTION I. NAME

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

SECTION II. PURPOSE

The purpose of this ordinance is to promote the health, safety and general welfare of the residents and property owners of Garfield Township by regulating and 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.

SECTION III. PROHIBITED USES AND/OR ACTIVITIES

On and 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 in the Township of Garfield owned, leased, rented or occupied or possessed by such person, firm, corporation or entity of any kind 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 or undesirable neighborhoods and threaten the public health, safety, and welfare:

1. There shall be no parking or storage of "junk automobiles" on any property in Garfield Township, except as hereinafter set forth in this ordinance.

For the purpose of this ordinance the term "junk automobiles" shall include any motor vehicle (or portion of motor vehicle) which is not currently licensed for use upon the highways of the State of Michigan. This section of the ordinance shall not apply:

A. To any automobiles stored on any property which is currently licensed by Garfield Township as junk dealer, junk yard, or place of dismantling of automobiles.

B. On any premises duly open, operating and licensed by the State of Michigan for automobile repair, in which case an unlicensed vehicle may be stored outside on the property for a period not to exceed 30 days.

C. For any property licensed by the State of Michigan for auto sales, an unlicensed vehicle being offered for sale to the general public may be maintained on the property, so long as the vehicle is operable and has all of its major component parts attached.

D. On subdivision lots or property of one acre or less, one unlicensed motor vehicle may be stored on the property subject to the following conditions:

a. Such vehicle must be stored behind the residence or behind a barn or shed, so that it is screened from the road.

b. Such vehicle must not be stored within 10 feet of any sideline or back line of the property.

c. In regard to lake front properties, such vehicles shall not be stored within 100 feet of the lake.

E. On subdivision lots or on parcels of property of more than one acre and less than 11 acres, up to two unlicensed motor vehicles may be stored on the property subject to the following conditions:

a. Such vehicles must be stored behind the residence or behind a barn or shed, so that they are screened from the road.

b. Such vehicles must not be stored within 10 feet of any sideline or back line of the property.

c. In regard to lake front properties, such vehicles shall not be stored within 100 feet of the lake.

d. In addition to storage of one or two unlicensed vehicles as set forth above, one (1) additional unlicensed vehicle per each 2 acres of additional property may be stored on the property if:

1. Such vehicles are screened by a solid fence at least 5 feet high on all four sides (except for an opening for access) or by shrubs at least 4 feet high presenting a hedge on all four sides (except for an opening for access) so that the vehicles are mostly out of sight and further with the condition that such fencing or hedge be located behind the principal residence (or at least 100 feet from the rural right of way), at least 20 feet from

any sideline, and at least 20 feet from the back line (and at least 100 feet from any lake).

F. On metes and bounds property of 11 acres or more up to four (4) unlicensed motor vehicles may be stored on the property subject to the following conditions:

a. Such vehicles must be stored behind the residence or behind a barn or shed, so that they are screened from the road.

b. Such vehicles must not be stored within 10 feet of any sideline or back line of the property.

c. In regard to lake front properties, such vehicles shall not be stored within 100 feet of the lake.

d. In addition to storage of four unlicensed vehicles as set forth above, up to one (1) additional unlicensed vehicles per each 2 acres of additional property may be stored on the property if:

1. Such vehicles are screened by a solid fence at least 5 feet high on all four sides (except for an opening for access) or by shrubs at least 4 feet high presenting a hedge on all four sides (except for an opening for access) so that the vehicles are mostly out of sight and further with the condition that such fencing or hedge be located behind the principal residence (or at least 100 feet from the rural right of way), at least 20 feet from any sideline, and at least 20 feet from the back line (and at least 100 feet from any lake).

2. It is prohibited to store any automobile parts, automobile components, wheels and/or tires outside of a completely enclosed building, except:

A. Any property shall be allowed to have neatly stacked tires, or automobile components situated in one location on the residential property not to exceed 10 feet by 20 feet in size, and

B. Such exterior storage must be behind a barn, residence, or shed so that the storage is not readily visible from the road.

3. It is prohibited to store or accumulate 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-salvage yard permit issued by Garfield Township is in effect) for a period in excess of fifteen (15) days. For the purpose of this ordinance, building materials stacked in a location behind a residence, barn, or shed shall not be considered junk, trash, rubbish or refuse nor shall not include farm tractors and farm equipment. For purpose of this ordinance the term "junk, trash, rubbish or refuse of any kind" shall include 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 inhabitation 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 as not to create a nuisance for a period not exceeding fifteen (15) days. This ordinance shall not include firewood stored in an orderly manner.

4. It is prohibited to store, keep, or maintain more than one unlicensed trailer or travel trailer outside of a completely enclosed building in any area (not including property for which a valid junk-salvage yard permit license issued by Garfield Township is in effect), except:

A. On property one acre or more, up to 3 trailers or travel trailers may be stored outside so long as they are operable (with wheels attached and able to be used on the roads subject to applicable Michigan Law) and maintained and in usable condition; and

B. They are stored behind a residence, barn, shed so they are not readily visible from the road or, in the alternative, are stored in a screened area so that they are not readily visible from the road.

C. Trailers and boats stored for personal use are allowed in any number from September through May.

For purposes of this ordinance, a trailer or travel trailer shall be such units as defined by Michigan Statute.

5. It is prohibited for any mobile home, other house trailer not used as a residence to be stored on any property in Garfield Township of a size of 5 acres or less. Except as permitted on Paragraph 6C.

For the purpose of this ordinance, a residence shall be considered any property which is occupied, connected to power, and which has a well and approved septic system attached.

6. It shall be prohibited on any parcel 5 acres or more for any mobile home, other house trailer not used as a residence to be stored on any property in Garfield Township except:

A. One trailer may be used as a resort cabin or hunting cabin; and

B. This exception is conditioned upon the resort cabin or hunting cabin having either a connection to a septic system or, in the alternative, being self-contained in regards to waste materials (bathroom & Kitchen); or, in the alternative having an outhouse meeting requirements of the Michigan Public Health Department.

C. Mobile homes/trailers which have been used for storage buildings prior to

May 1, 2001 are allowed to remain in use as long as they are maintained in neat and orderly manner.

7. It is prohibited to keep or maintain for a period in excess of ninety (90) days any structure or part of a 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.

8. It is prohibited to keep or maintain property in a condition which presents a serious risk of injury or harm to others (whether such individual is on the property with or without permission) including but not limited to allowing or maintaining an open hole or excavation, allowing or maintaining dead unburied animals, allowing or maintaining unsafe structures, or any other physical condition of the property which presents an unreasonable danger.

SECTION IV. PENALTIES & ENFORCEMENT

Violation of any provision of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than Five Hundred (\$500.00) dollars or imprisoned not more than ninety (90) days or both and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

SECTION V. SEVERANCE CLAUSE

Each section or portion of a section of this ordinance shall be deemed to be severable and should any section, paragraph or provision herein be declared by the court unconstitutional or invalid, such holding shall not affect the validity of this ordinance as whole or any part hereof, other than that part so declared to be unconstitutional or invalid.

SECTION VI. ENFORCEMENT

This ordinance shall be enforced by such a person or persons as may be designated by the Garfield Township Board, including but not limited to any person or board member named as Ordinance Enforcement Officer and/or Clare County Sheriff's Department.

SECTION VII EFFECTIVE DATE

This ordinance shall take effect on July 1, 2001

Florence Mowery
Garfield Township Clerk