

**LODI TOWNSHIP
WASHTENAW COUNTY
MICHIGAN**

Ordinance No.2011-002

AN ORDINANCE ADOPTED PURSUANT TO PUBLIC ACT 344 of 1945 AS AMENDED, THE BLIGHTED AREA REHABILITATION ACT (MCL 125.71 *et seq.*), TO SECURE THE PUBLIC SAFETY, HEALTH, AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF LODI, WASHTENAW COUNTY, MICHIGAN BY PREVENTING, REDUCING, OR ELIMINATING BLIGHT, BLIGHTING FACTORS, OR CAUSES OF BLIGHT WITHIN THE TOWNSHIP OF LODI, AND TO PROVIDE PENALTIES AND REMEDIES FOR VIOLATIONS.

THE TOWNSHIP OF LODI, WASHTENAW COUNTY, MICHIGAN, ORDAINS:

Section 1: Title.

This ordinance shall be known and cited as the "Lodi Township Blight Ordinance."

Section 2: Purpose.

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in Lodi Township by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in Lodi Township.

Section 3: Causes of Blight or Blighting Factors.

It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. On and after the effective date of this ordinance, no person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in Lodi Township owned, leased, rented or occupied by such person, firm or corporation.

A. In any area, the storage upon any property of junk automobiles, except 1) in a completely enclosed building, or 2) as permitted pursuant to a valid special use permit, or 3) as permitted in an industrial district. For the purpose of this ordinance, the term "junk automobiles" shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan, and shall also include, whether so licensed or not, any motor vehicle which is inoperative.

B. In any area, the storage upon any property of building materials, except 1) in a

completely enclosed building, or 2) unless there is in force a valid building permit issued by Washtenaw County for construction upon the property and the materials are intended for use in connection with such construction, or 3) as permitted pursuant to a valid special use permit, or 4) as permitted in an industrial district, or 5) as permitted by the Michigan Right to Farm Act or other State or Federal law. Building materials shall include but shall be limited to lumber, bricks, concrete or 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.

C. In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit, except 1) domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed 15 days, and 2) any compost pile provided such compost pile is not larger than reasonably necessary to supply the needs of the property served, and further provided that such compost pile is not of such a nature as to spread or harbor disease, emit unpleasant odors or harmful gas, or attract rodents, vermin or other disease-carrying pests, animals, or insects, provided that the presence of earth worms in a compost pile shall not constitute a nuisance. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of woods, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.

D. In any area, the existence of any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable, if a dwelling, nor useful for any other purpose of which it may have been intended.

E. In any area, the existence of any vacant dwelling, garage or other out-building unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons.

F. In any area, the existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the county and unless such construction is completed within a reasonable time.

G. On any parcel less than three (3) acres gross in area on private property, the existence of weeds, brush, and grass over ten (10) inches in height, because such weeds, brush, and grass over ten (10) inches in height is likely to attract and harbor vermin, encourage the dumping of trash, is unsightly and unkempt, will attract criminal activity, and will lower property values.

Section 4: Enforcement and Penalty.

A. Notice and time to correct. The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 3 of this ordinance is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 10 days after service of the notice upon him or her. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the enforcement officer where bonafide efforts to remove or

eliminate such causes of blight or blighting factors are in progress.

B. Failure by the owner and/or occupant to comply with such notice within the time allowed or within any additional time if granted shall constitute a violation of this ordinance.

C. The Lodi Township Supervisor shall be responsible for enforcing this ordinance. Except for the issuance of citations and municipal ordinance violation notices, the Supervisor may delegate the actual enforcement of the provisions of this ordinance to other township officials and personnel. For the issuance of citations and municipal ordinance violation notices, the Lodi Township Supervisor, the Zoning Inspector, any other official, individual, firm, or entity the Lodi Township Board designates to perform all or part of the duties of the Zoning Inspector, and all Washtenaw County Sheriff deputies, Michigan State troopers, and any Lodi Township Constable, Police Officer, and Ordinance Enforcement Officer, who have jurisdiction within Lodi Township, are authorized to issue citations and municipal ordinance violation notices as "authorized local officials" pursuant to MCL 600.8707.

D. Violation a municipal civil infraction. Any person who violates any of the provisions of this ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by civil fine determined in accordance with the following schedule.

1. 1st offense (no other offenses within the previous two years): Fifty Dollars (\$50.00).
2. 2nd offense (one other offense within the previous two years): One Hundred Dollars (\$100.00).
3. 3rd offense (two other offenses within the previous two years): Two Hundred Fifty Dollars (\$250.00).
4. 4th or greater offense (three or more offenses within the previous two years): Five Hundred Dollars (\$500.00).

E. Each day that a violation continues shall be deemed to be a separate violation. This ordinance shall not prevent the Township from using other methods or means available to it under Michigan law pertaining to remedy the problems or violations.

F. In addition to the fine designated above, each person, firm, association, partnership, corporation, or government entity who violates or authorized, allowed, or permitted a violation of any of the provisions of this ordinance or fails to comply with a duly authorized order issued pursuant to this ordinance shall be summarily taxed the costs of the action, which are not limited to the costs taxable in ordinary civil infraction actions and may include all expenses, direct and indirect, to which Lodi Township has been put in connection with the municipal civil infraction, up to the entry of judgment. Costs of not more than \$500.00 shall be ordered. Except as otherwise provided by law, costs shall be payable to the general fund of Lodi Township.

G. In addition to the relief stated in subsections 6(a), 6(b), and 6(c) above, Lodi Township may obtain and have enforced any judgment, writ, or order necessary to enforce the ordinance pursuant to MCL 600.8727(5), 600.8302(1) and 600.8302(4).

H. Lodi Township may obtain and enforce liens as authorized by MCL 600.8731.

Section 5: Severability

The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

Section 6: Effective Date

This Ordinance shall be published once in a newspaper having general circulation in Lodi Township and shall take effect 30 days after the first publication as required by law following adoption by the Township Board.



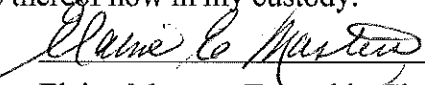
Jan Godek, Township Supervisor



Elaine Masters, Township Clerk

Clerk's Certification

I, Elaine Masters, Clerk for Lodi Township, Washtenaw County, Michigan, hereby certify that the foregoing is a true and correct copy of Ordinance No. 2011-002 of Lodi Township, adopted by resolution at a meeting of the Township Board of Trustees held on September 6, 2011, and the whole thereof now in my custody.



Elaine Masters, Township Clerk

A copy of the complete ordinance text may be inspected or purchased at the Lodi Township Hall, 3755 Pleasant Lake Road, Ann Arbor, Michigan 48103. The office hours are 9:00 a.m. until noon Monday, Wednesday and Friday.

Adopted: September 6, 2011

Published: September 15, 2011

Effective: October 15, 2011