

**ALAIEDON TOWNSHIP
JUNK ORDINANCE NO. 11**

AN ORDINANCE TO PROHIBIT THE STORAGE AND ACCUMULATION OF TRASH, RUBBISH, JUNK, JUNK AUTOMOBILES, ABANDONED VEHICLES AND BUILDING MATERIALS AND BLIGHTED STRUCTURES, TO PROVIDE FOR THE REMOVAL OF ABANDONED VEHICLES AND TO PRESCRIBE PENALTIES FOR VIOLATIONS OF THE ORDINANCE THEREOF;

THE TOWNSHIP OF ALAIEDON ORDAINS:

Section 1. The following words or terms when used herein shall be deemed to have the meanings set forth below:

- (A) The term “Junk” shall include, but shall be limited to, parts of machinery or motor vehicles, unused furniture, stoves, refrigerators or other appliances, remnants of wood, metal or castoff material of any kind and any sort, whether or not the same could be put to any reasonable use.
- (B) The term “Junk Automobiles” shall include, without limitation, any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of Twenty (20) days, and shall also include, whether licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of Thirty (30) days.
- (C) The term “Abandoned Vehicle” shall include, without limitation, any vehicle which has remained on private property for a period of 48 continuous hours or more, without the consent of the owner or occupant of the property, or for a period of 48 continuous hours or more, after the consent of the owner or occupant has been revoked.
- (D) The term “Blighted Structure” shall include, without limitation, any dwelling, garage or outbuilding, or any factory, shop, store, warehouse or any other structure or part of structure which, because of fire, wind or other natural disaster or physical deterioration, is no longer habitable as a dwelling, nor useful for the purpose for which it may have been intended.
- (E) The term “Building Materials” shall include, without limitation, 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.
- (F) The term “Person” shall include all natural persons, firms, co-partnerships, corporations and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee. All persons who violate any of the provisions of this ordinance, whether as owner, occupant, lessee, agent, servant or employee shall, except as herein otherwise provided, be equally liable as principals.
- (G) The terms “Trash” and “Rubbish” shall include any and all forms of debris not herein otherwise classified.

Section 2. It is hereby determined that the storage, accumulation or harboring of trash, rubbish, junk, junk automobiles, abandoned vehicles, building materials

and blighted structures tends to result in blighted and deteriorated neighborhoods, residences and open spaces, the spread of vermin and disease, is hazardous to persons and property and is contrary to the public, peace, health, safety and general welfare of the community.

Section 3. It shall be unlawful for any person to store or to permit the storage or accumulation of trash, rubbish, junk, junk automobiles, or abandoned vehicles on any private property in the Township except within a completely enclosed building or by qualifying for a special exception as set forth hereinafter.

If a person can demonstrate the substantial hardship in complying with this Section, that person may apply to the Township Building Official for a special exception. In addition to demonstrating substantial hardship, the person must provide an alternate means of storage, other than in an enclosed building, which comports with the general purposes of this ordinance and which will not cause an attractive nuisance to children or promote vermin and disease.

If the Building Official denies the special exception and does not approve of the alternate means of storage, the person may file an appeal within Thirty (30) days to the Board of Trustees of Alaiedon Township.

(A) It shall be unlawful for any person to harbor or permit a blighted structure on any private property in the Township except by qualifying for a special exemption as set forth hereinafter.

If a person can demonstrate the substantial hardship in complying with this Section, that person may apply to the Township Supervisor for a special exception. In addition to demonstrating substantial hardship, the person must provide an alternate means of safety precautions which comports with the general purposes of this ordinance and which will not cause an attractive nuisance to children or promote vermin and disease.

If the Township Supervisor denies the special exception and does not approve of the alternative means of safety precautions, the person may file an appeal within Thirty (30) days to the Board of Trustees of Alaiedon Township.

Section 4. It shall be unlawful for any person to dismantle, cut up, remove parts from or otherwise disassemble any automobile, whether or not the same be a junk automobile, abandoned vehicle or otherwise or any appliance or machinery, except in a completely enclosed building.

Section 5. The Township of Alaiedon may remove or cause to be removed any junk automobile or abandoned vehicle, or part of either, from any unenclosed private property after having notified, in writing, the owner or occupant of such property of his intention to do so at least 48 hours prior to such removal. Such notice shall be served personally upon the owner or occupant of the property, if occupied, or may be posted in a conspicuous place upon vacant or unoccupied property. Such junk automobile or abandoned vehicles, or parts of either, shall be removed to the automobile pound land and disposed of in accordance with

law. Such removal by the Township shall not excuse or relieve any person of the obligation imposed by this ordinance to keep his property free from obligation imposed by this ordinance to keep his property free from storage or accumulation of junk automobiles or abandoned vehicles, or parts of either, nor from the penalties for violation thereof.

(A) The Township of Alaiedon may remove or cause to be removed any blighted structure, or part of, after having notified, in writing, the owner or occupant of such property of his intention to do so at least 48 hours prior to such removal. Such notice shall be served personally upon the owner or occupant of the property, if occupied, or may be posted in a conspicuous place upon vacant or unoccupied property. Such blighted structures or parts of, shall be removed and disposed of in accordance with law. Such removal by the Township shall not excuse or relieve any person of the obligation imposed by this ordinance to keep his property free from blighted structures, or parts of, nor from the penalties for violation thereof.

Section 6. Enforcement and Penalties.

(A) This ordinance shall be enforced by the Township Building Official or the Township Supervisor.

(B) The owner, if possible, and the occupant of any property upon which such violation or violations of this ordinance hereof are found to exist shall be notified in writing to remove or eliminate such causes of said violations or violations from such property within ten (10) days after service of the notice upon him. Such notice may be served personally or by mail. Additional time may be granted by the enforcement officer where bonafide efforts to remove or eliminate such causes of said violation or violations are in progress.

(C) The Township can take whatever legal remedies are available if the person served fails to comply with such notice within the time allowed.

(D) Violations of this ordinance shall be a civil infraction which shall be punishable upon finding of responsibility thereof by a fine not to exceed \$500.00.

(E) The Township Building Official and Supervisor are authorized to issue municipal civil infraction citations or notices.

Section 7. This ordinance and the various parts, sections and clauses thereof, are hereby declared to be severable. If any part, section, paragraph, sentence, clause, phrase or word is judged unconstitutional or invalid, by any court of competent jurisdiction, it is hereby provided that such adjudication shall not affect, impair or invalidate the remainder of this ordinance.

Section 8. This Ordinance shall become effective the 16th day of June 1983.

Lyle Oesterle, Clerk
Alaiedon Township Board

AMENDMENTS

Blighted structures
Section 2 & Section 5
Add Section 3a and 5a

EFFECTIVE DATE

11-06-2011