

**CHARTER TOWNSHIP OF MONROE  
ORDINANCE NO. 131**

An Ordinance to repeal the existing Blight Ordinance and to prevent, reduce or eliminate blight, blighting factors or causes of blight within Monroe Charter Township, Monroe County, Michigan; to provide for the enforcement thereof; and to provide penalties for the violation thereof.

THE CHARTER TOWNSHIP OF MONROE ORDAINS:

**Section 1: TITLE.**

This Ordinance shall be known as the Monroe Charter Township "Blight Ordinance".

**Section 2: REPEAL.**

Ordinance No. 87 and Sections 10-86, 10-87 and 10-88 of the Code of Ordinances, the Charter Township of Monroe, Monroe County, Michigan, are repealed; and all ordinances or parts of ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

**Section 3: PURPOSE.**

Consistent with the letter and spirit of Act 344 of 1945, as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in Monroe Charter 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 Monroe Charter Township.

**Section 4: FACTORS AND CONDITIONS PROHIBITED.**

It is hereby determined that there exists on privately owned parcels of land within Monroe Charter Township, accumulations of junk and/or garbage and that such accumulations of junk and/or garbage constitute a hazard to the public health, safety or welfare of the

residents of Monroe Charter Township, for reason that they provide a habitat conducive to breeding or nesting of rats, mice, mosquitoes and other vermin; and also they may contain objects with sharp edges and other hazards which could injure children who would be attracted to play thereon; and that the regulations contained in this Ordinance are the minimum regulations required to eliminate the foregoing undesirable condition and protect the public safety and welfare.

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 Monroe Charter Township owned, leased, rented or occupied or vacant by such person, firm or corporation. Unoccupied properties or vacant properties are subject to this Ordinance and are not exempt from any blighting factors.

**Section 5: DEFINITIONS.**

(A) **Junk:** As used in this Ordinance, "Junk" means any unused or unusable furniture or lawn furniture; machinery; appliances or parts thereof, including but not limited to inoperable motor vehicles of any kind; unusable push mowers or riding mowers; tractors; non-functioning bicycles; motorized and non-motorized boats that do not have a current or valid registration; unusable or unsafe children's toys; any vehicle, because of mechanical condition, missing parts or deterioration or that cannot be operated or driven; 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.

(B) **Junk Automobiles:** As used in this Ordinance, "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.

(C) **Rubbish:** As used in this Ordinance, "Rubbish" means waste papers, tinware or aluminumware, tin or aluminum cans, tin or aluminum cuttings, box, glass, straw, shavings, barrels, lumber, paper cartons, rocks, lawn cuttings or trimmings.

(D) **Garbage:** As used in this Ordinance, "Garbage" is the accumulation or individual pieces of trash, refuse, or litter specifically including, but not limited to, containers once containing edible products, drinkable products or usable materials, as well as dead animals (or parts thereof) and discarded edible or drinkable items.

(E) **Building Materials:** As used in this Ordinance, "Building Materials" shall include but shall not be limited to lumber, drywall, 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) **Recreational Vehicles:** As used in this Ordinance, "Recreational Vehicles" means snowmobiles; all terrain vehicles; boats (motorized and non-motorized); campers; travel trailers; utility trailers; snowmobile trailers; boat trailers; golf carts or other similar recreational vehicles.

(G) **Responsible Party:** Owner, occupant, possessor, person, firm, corporation, lessee, representative or agent of a bank which owns

or has legal right to foreclosed or otherwise unoccupied property, or other legal entity of property located in Monroe Charter Township in which this Ordinance applies or refers.

**Section 6: UNLAWFUL ACT(s).**

(A) **Storage of Junk:** No responsible party of land in Monroe Charter Township shall keep or permit to be kept on such parcel any accumulation of junk thereon, unless the same is within a completely enclosed building.

(B) **Storage of Rubbish and/or Garbage:** No responsible party of land in Monroe Charter Township shall keep or permit to be kept on such parcel any rubbish or garbage unless the same is kept within a closely covered can or other metal, plastic or rubber container specifically designed for the same and sufficient to prevent entry by rats, mice, cats, dogs and other vermin.

(C) **Storage of Building Materials:** No responsible party of land in Monroe Charter Township shall keep or permit to be kept on such parcel any accumulation of building materials, unless with a valid permit construction is being done on said premises and the materials are intended for use in connection with permitted constructions. If permitted construction is the cause of building materials storage, all building materials must be removed within thirty (30) days of receiving an occupancy permit or final inspection.

(D) **Storage of Recreational Vehicles:** No responsible party of land in Monroe Charter Township shall keep or permit to be kept on such parcel any unlicensed, unregistered or unusable recreational vehicle unless the same is within a completely enclosed building.

(E) **Storage of Junk Automobiles:** No responsible party of land in Monroe Charter Township shall keep or permit to be kept on such parcel any junk automobile unless the same is within a completely enclosed building.

(F) **Vacant Dwellings or Buildings:** No responsible party of land in Monroe Charter Township shall keep or permit to be kept any vacant dwelling, garage or outbuilding unless the same is kept securely locked, windows kept glazed and otherwise protected to prevent the entrance thereto by unauthorized person or persons, or entrance thereto by cats, dogs, rats, mice or other vermin.

**Section 7: EXCEPTIONS.**

This Ordinance does not apply to inventory on premises occupied by a merchant licensed under MCL 205.53 conducting a lawful business or to the property that patrons a lawful motor vehicle repair facility, furniture or appliance repair facility, or gasoline service station while left on the premises of either for purposes of service or repair, nor does this Ordinance apply to junkyards which can be regulated under Public Act 12 of 1929.

**Section 8: DECLARATION OF NUISANCE.**

Any violation of any provision of this Ordinance is hereby declared to be a nuisance per se. The Township may petition a court of competent jurisdiction to order such nuisance abated and the responsible party can be adjudged of maintaining a nuisance of competent jurisdiction. Furthermore, the Township shall be entitled to recover any costs and attorney fees or other public expenditures incurred as a result of efforts to abate such nuisance.

**Section 9: ENFORCEMENT AND PENALTIES.**

(A) This Ordinance shall be enforced by the Township Supervisor or the designated official hereby referred to as Blight Inspector.

(B) The responsible party of the premises on which the blight, causes of blight or blight factors are located, or the items causing such blight shall be notified, in writing, by the Township Supervisor or Blight Inspector to fully remove or eliminate such causes of blight or blight factors from such premises where the same are located within five (5) business days of such notice. Such notice may be served personally, by first class mail or certified mail. Such notice shall be mailed to the responsible party at the address of the premises where the condition exists, or to the address of the responsible party, if known. If the responsible party is not known, then such notice shall be posted in two conspicuous places on the premises in question.

(C) In the event that the removal of such blight, blight conditions, causes of blight or blight factors will not be accomplished within five (5) business days, the Township Supervisor or Blight Inspector shall seek a warrant for the arrest of such offending person or responsible party.

(D) Failure to comply with such notice in the time allowed shall constitute a violation of this Ordinance by the responsible party.

(E) Violation of this Ordinance shall be a misdemeanor and shall be punishable, upon conviction thereof, by a fine not to exceed Five Hundred Dollars (\$500.00) or by imprisonment in the county jail not to exceed ninety (90) days or by both fine and imprisonment, at the

discretion of the court. Each day that such violation exists shall constitute a separate offense with separate penalties at the discretion of the court.

**Section 10: PRIMA FACIE PROOF.**

In any litigation arising under this Ordinance, testimony that any furniture, machinery, appliances, or parts thereof, have been observed in the same place on at least two (2) separate dates at least four (4) days apart within any calendar month, shall constitute prima facie proof that such machinery, appliances or parts thereof are inoperable, unused or unusable as defined in Section 5 herein. Likewise, in any litigation arising out of this Ordinance, testimony that any motor vehicle or parts thereof have been observed in the same place for a period of thirty (30) days shall constitute prima facie proof that such motor vehicle or parts thereof are inoperable, unused or unusable as defined in Section 5 herein. Further, in any litigation arising under this Ordinance, testimony that a recreational vehicle or parts thereof have been observed in the same place for a period of thirty (30) days and that such recreational vehicle is not in compliance with one or more subsections of Monroe Charter Township Zoning Ordinance No. 52-2010, as may be amended, shall constitute prima facie proof that such recreational vehicle or parts thereof are inoperable, unused or unusable as defined in Section 5 herein.

**Section 11: EFFECTIVE DATE.**

This Ordinance shall become effective thirty (30) days after passage by the Monroe Charter Township Board and publication in the Monroe Evening News, a newspaper having general circulation in the Charter Township of Monroe, Monroe County, Michigan.

This Ordinance was enacted at a Regular Meeting of the Monroe Charter Township Board held on the 20th day of March, 2012, five (5) Board members being present and five (5) voting in favor thereof.



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BOB SCHNURR - Clerk  
Monroe Charter Township

ATTESTED:



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ALAN BARRON - Supervisor  
Monroe Charter Township