

GENEVA TOWNSHIP ANTI - BLIGHT ORDINANCE #16
Amendment April 10, 2001

AN ORDER PROHIBITING BLIGHT AND BLIGHT CONDITIONS

This Order promulgated the 27th day of March, 1982, as amended, in order to further the public health, peace, safety and environmental quality of the Township of Geneva, Van Buren County, Michigan for the purpose to prevent, reduce or eliminate blight, blighting factors or causes of blight within the Township of Geneva, Van Buren County, Michigan, and provide penalties for the violation hereof.

Section 1. PURPOSE. Consistent with the letter and spirit of Act #344 of the Public Acts of 1945, as amended, it is the propose of this Ordinance to prevent, reduce or eliminate blight in the 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 Geneva Township.

Section 2. CAUSE 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 the Township owned, leased, rented or occupied by such person, firm or corporation.

- A. In any area, the storage upon any property of building materials unless there is in force a valid building permit issued by the Township for construction upon said property and said materials are intended for use in connection with such construction. Building materials shall include, but not be limited to: wood, 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 material used in constructing any structure.
- B. In any area, the storage or accumulation of junk, trash, rubbish, or refuse or any kind, except domestic refuse stored in such a manner as not to create a nuisance for a period of not to exceed thirty days. The term "Junk" shall include bottles, cans, garbage, rubbish, parts of machinery, appliances sorted in the open, remnants of wood, metal or any other materials and/or building materials, or other cast-off material of any kind whether or not the same could be put to good use.
- C. In any area, the existence of 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.
- D. In any area, the existence of any vacant dwelling, garage, or other out-buildings not kept securely locked, windows kept glazed, or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.
- E. In any area, the existence of any partially completed structure, unless such structure is in the course of construction in compliance with a valid building permit issued by the Township and said construction is completed within a reasonable time.

Section 3. ENFORCEMENT The Owner of any property upon which any of the causes of blight or blighting conditions as set forth above is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting conditions from such property within 15 days after service of the notice upon him. Such notice may be served personally or by

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certified mail, return receipt requested or by posting of property in three conspicuous locations. Additional time may be granted by the Enforcement Officer where bona fide efforts to remove or eliminate such causes of blight or blighting conditions are in progress.

Section 4. ABATEMENT BY TOWNSHIP Whenever said owners fail to abate blight or blighting conditions then the township may remove the said personalty to a location of its selection, the expenses therefore to be billed to said owners, jointly and severally, said bill to be recoverable in a suit at law. If suit is not recoverable, the expenses shall constitute a lien upon the premises and the Township may file and record the proper documents to establish said lien.

When said personalty has been removed and placed in storage by the Township, as provided for herein, said personalty shall be sold by the Township after the lapse of such time as is provided by law. If the proceeds of such sale are insufficient to pay the costs of abatement said owners shall be liable to the township for the balance of the costs, jointly and severally, to be recoverable in a suit at law. If the proceeds are in excess of the costs, the balances shall be paid to said owners or deposited in the township treasury for their use.

Section 5. PENALTY Any person, firm, corporation, or organization which violates or fails to comply with the provision of this Ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed \$500 and costs of prosecution or by imprisonment in the County Jail for a term not exceeding ninety (90) days, or by both fine and imprisonment in the discretion of the Court. Each day that a violation of this Ordinance exists shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the provisions of this Ordinance.

Section 6. If any section, sub-section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of this ordinance which shall remain in force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

Section 7. Amended Ordinance Adopted this 10th day of April, 2001. This amendment wording shall replace and supersede contents of Ordinance #16 adopted September 8, 1992, as amended. Effective April 10, 2001.

Motion to adopt Ordinance #16 amendment by Nancy Ann Whaley, seconded by Norman Funk.

Yes: 4 Yes: Funk, Primmer, Gumpert, Whaley.
No: 0 No: None
Absent: 1 Absent: Trowbridge

Adopted this 10th day of April, 2001.

Bridgette Gumpert
Bridgette Gumpert, Clerk

Ordinance #16 adopted March 27, 1982
Amended September 2, 1992
Amended April 10, 2001