

CHARLESTON TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN
ORDINANCE NO. 75

(As amended by Ordinance No. 130)

CHARLESTON TOWNSHIP ANTI-BLIGHT ORDINANCE

ADOPTED: MARCH 24, 1987 (2/25/03)

EFFECTIVE: MAY 10, 1987 (3/30/03)

An Ordinance to secure the public health, safety and welfare of the residents and property owners of Charleston Township, Kalamazoo County, Michigan, by the regulating, preventing, reducing or eliminating of blight, blighting factors or cause of blight within said Township; to provide civil sanctions and remedies for the violation thereof; and to preserve any Ordinance or parts thereof which pertain to the same subject matter.

THE TOWNSHIP OF CHARLESTON,
KALAMAZOO COUNTY, MICHIGAN,

ORDAINS:

SECTION I

TITLE

This Ordinance shall be known and may be cited as the Charleston Township Anti-Blight Ordinance.

SECTION II

PURPOSE

The purpose of this Ordinance is to promote and preserve the general health, safety and welfare of the residents and property owners of Charleston 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

DEFINITIONS

For the purpose of enforcing the provisions of this Ordinance, certain terms and words used herein shall have the following meaning:

- a. "Junk vehicle" shall mean any motor vehicle which is not currently and validly licensed for use upon the public streets and highways of the State of Michigan, and any motor vehicle, whether licensed or not, which is inoperable or does not have all its main component parts attached.
- b. An "inoperable" motor vehicle shall mean any motor vehicle which is being dismantled for the sale, salvage, repair or reclamation of parts thereof, or which does not have all of its main component parts properly attached, or which is incapable of being driven under its own power, lawfully, upon the public streets as a result of any other or additional conditions.
- c. "Main component parts" shall mean fenders, hood, wheels, radiator, motor, windows, doors, muffler, body or essential parts of the engine, and all such other parts or equipment as are necessary for the vehicle to be lawfully driven upon the public streets pursuant to the Michigan Vehicle Code, being 1949 Public Act 300, as amended.
- d. "Building materials" shall mean lumber, bricks, concrete, 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.
- e. "Junk, trash, rubbish or refuse of any kind" shall mean unmotorized vehicles or conveyances not usable for the purposes for which they were manufactured, or parts or components thereof, or scrap or waste metal, iron, steel, copper, brass, zinc, tin, lead, rope, rubber, rags, clothing, wood, plastic, paper, glass or garbage, or appliances, televisions or furniture, or mobile homes not meeting the minimum standards for inhabitation by humans, or trailers or watercraft not usable for the purposes for which they were manufactured, or concrete, brick or other materials from demolished structures, or any other scrap or waste material of any kind, including parts of any of the above. "Junk, trash, rubbish or refuse of any kind" shall not include firewood stored in an orderly manner, and shall also not include domestic refuse stored for fourteen (14) or fewer days in such a manner as not to become offensive by reason of odors, insects, rodents, pollution, litter, inadequate or improperly covered containers for the same, the lack of such containers, or the improper depositing of such material into or around such containers, or in such a manner as to otherwise create a nuisance.



SECTION IV

PROHIBITION OF CAUSES OF BLIGHT OR BLIGHTING FACTORS

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 Charleston owned, leased, rented or occupied or possessed by such person firm, corporation or entity any of the following uses 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 and undesirable neighborhoods and threaten the public health, safety and welfare:

- a. The parking or storage of "junk vehicles" outside of a completely enclosed building in any area (except on property for which a valid junk-salvage yard permit issued by the Township is in effect).
- b. The storage or accumulation of "building materials" outside of a completely enclosed building in any area for a period in excess of fourteen (14) days (except building materials used for a legally operated business, and building materials stored on the site of property for which a valid building permit has been issued by the appropriate Township building official and where said materials are intended for use in connection with such construction).
- c. The storage or accumulation of "junk, trash, rubbish or refuse of any kind" outside of a completely enclosed building in any area for a period in excess of fourteen (14) days (except on property for which a valid junk-salvage yard permit issued by the Township is in effect).

Notwithstanding any of the foregoing this Ordinance shall not apply to a use or activity which is licensed or allowed by, and conducted pursuant to, the Solid Waste Management Act, being 1978 Public Act 641, as amended.

SECTION V

VIOLATIONS AND ENFORCEMENT

- a. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, consents to, or aids or abets any of same, shall be deemed to be responsible for a violation of this Ordinance. Each day that a violation exists shall constitute a separate offense for enforcement purposes. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal.



- b. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- c. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
▪ 1st offense	\$ 150.00	---
▪ 2nd offense	\$ 325.00	---
▪ 3rd or subsequent offense	\$ 500.00	---

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

- d. This Ordinance shall be enforced by the Ordinance Enforcement Officer(s) of Charleston Township, and by such other person or persons as the Township Board may designate.

SECTION VI

VALIDITY

Should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such holding shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION VII

SIMILAR REGULATIONS

This Ordinance shall not be construed to repeal by implication any other ordinance of Charleston Township pertaining to the same subject matter.

SECTION VIII

EFFECTIVE DATE

This Ordinance shall become effective on May 10, 1987 (March 30, 2003).

