

RESOLUTION TO: Remove Blight Prevention from Sauble Township Zoning Ordinance

Number 2017-07-10

WHEREAS, the Sauble Township Board plans to remove the Blight Prevention section found in the zoning ordinance book on pages 31, 31-a, 31-b, 31-c.

WHEREAS, the Blight Prevention Ordinance was adopted as a standalone document on June 25, 2007 and was not intended to be included in the Sauble Township Zoning Ordinance book.

NOW, THEREFORE, BE IT RESOLVED that the Sauble Township Board will remove the Blight Prevention sections from the zoning ordinance book. The Blight Prevention Ordinance will be returned as a separate, standalone document. The Sauble Township Zoning Ordinance will be revised showing the removal of the Blight Prevention.

The foregoing resolution offered by Board Member GAIL RAAD

Second offered by Board Member DELORES ROBERT


Upon roll call vote, the following voted:

"Aye: GEORGE DANEK, GAIL RAAD

ABBIEY SISSON, MARY ANN NUGENT

DELORES ROBERT

"Nay: Ø

The Supervisor declared the resolution adopted. 
George Danek


Gail Raad, Clerk

Date: 7-10-17

ORDINANCE NO. 2018-01

SAUBLE TOWNSHIP

COUNTY OF LAKE

AN ORDINANCE TO AMEND THE SAUBLE TOWNSHIP BLIGHT PREVENTION ORDINANCE OF MAY 2007 BY MAKING A VIOLATION A MUNICIPAL CIVIL INFRACTION; TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF; TO DESIGNATE AUTHORIZED LOCAL OFFICIALS; AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH.

The Township of Sauble ORDAINS:

Section 1.

Section D of the Sauble Township Blight Prevention Ordinance of May 2007 is hereby amended to read in its entirety as follows:

A violation of this Ordinance is hereby declared to be a municipal civil infraction and shall be enforced in the manner provided by law in the 79th Judicial District Court in Lake County. The township supervisor, the township zoning administrator, and any police officer having jurisdiction to act within the township, are hereby designated as authorized local officials authorized to issue civil infraction citations on behalf of the township for violations of this Ordinance. A person found responsible, or responsible with explanation, for a civil infraction for violation of this Ordinance shall pay a civil fine of not more than \$500.00 and costs of not more than \$500.00, as determined by the court. In addition, the court may tax costs as provided by law. The remedies provided for in this Section D are in addition to, and not in substitution of, other remedies provided by this Ordinance.

Section 2.

All ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 3.

This ordinance shall be effective on the 31st day following its adoption and publication as required by law.

THOSE VOTING IN FAVOR: GEORGE DANEK, GAIL RAAD, ABBEY SISSON,
MARY ANN NUGENT, DELORES ROBERT

THOSE VOTING AGAINST: NONE

THOSE ABSENT OR
ABSTAINING: NONE

ORDINANCE DECLARED PASSED.

Gail Raad
Gail Raad, Clerk

CERTIFICATION

The undersigned Clerk of Sauble Township hereby certifies that the foregoing is a true and correct copy of the Ordinance adopted by the Township Board of Sauble Township at a BOARD meeting thereof duly noticed, called, and held on the 13 day of AUGUST, 2018.

Gail Raad
Gail Raad, Clerk

AFFIDAVIT OF PUBLICATION

STATE OF MICHIGAN
County of Lake

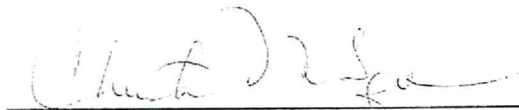
John Norton, being duly sworn, deposes and says that he is one of the editors, publishers of the Star, a newspaper printed, published and circulated in said County of Lake, and that the annexed notice was duly printed and published in said newspaper on the following dates:

August 16, 2018



John Norton

Subscribed and sworn before me, this 5th
day of September 2018.



Notary Public: Christina M. Squires
State of Michigan, County of Lake
My Commission Expires: February 7, 2022
(Acting in the County of Lake)

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COUNTY OF LAKE

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Section 3.
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BLIGHT PREVENTION ORDINANCE

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 Sauble 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 Sauble Township.

A. Definition. Junk means any of the following:

- (1) Old scrap ferrous or non-ferrous material, rubber, cloth, paper, rubbish, refuse, litter, batteries;
- (2) Materials from demolition, waste building materials;
- (3) Junk abandoned, scrap dismantled or wrecked (including parts or several items held for salvaging parts), automobiles, farm equipment, boats, trailers, mobile homes, appliances and all other machines.
- (4) Junk vehicles means any unlicensed vehicle required to be licensed by the State or any wrecked, junked or dismantled vehicle which is not capable of performing the functions for which it was manufactured.
- (5) Private premises means any lot or parcel of land owned or occupied by any person whether or not improved with any house, dwelling, building or other structure, whether inhabited or temporarily or continuously uninhabited or vacant.
- (6) Dangerous structure means any structure which is unsafe or which is a menace to the health, morals or safety of the public.

B. Regulation. No person shall maintain or permit to be maintained any of the following causes of blight or blighting factors upon any property in the Township of Sauble owned, leased, rented or occupied by such person.

- (1) The storage or accumulation on private premises any junk or junk vehicles unless the following apply:
 - (a) The junk or junk vehicles are wholly contained within a fully enclosed building or completely enwalled enclosure;

- (b) No more than one (1) modified vehicle in fully operating condition such as a stock modified, redesigned or reconstructed vehicle for purpose other than for which it was manufactured provided no building or garage is located upon the premises in which said vehicle could be parked or stored, and further provided that in no event shall any such remodeled or reconstructed vehicle be parked in the front or side street yard area of any residences or premises so as to be visible to passersby.
 - (c) Junk vehicles within a salvage yard surrounded by a solid seven (7) foot high fence with screens, which screens all stored materials from outside view.
 - (d) Junk vehicles stored on the premises of a commercial repair establishment for not more than thirty (30) days.
- (2) The storage upon any property of building materials unless there is in force a valid building permit issued by the Lake County Building Department for construction.
 - (3) Ashes, household or yard rubbish or trash, except for such reasonable periods of time as such await regular, systematic removal and disposal in accordance with law. Such materials while awaiting removal and disposal shall be temporarily stored in a completely enclosed building, with the exception of yard rubbish and trash which may be temporarily stored either in an enclosed building or at a location on the property where it is as much concealed from public view as practicable.
 - (4) The existence of any structure or damaged part of a structure which, because of fire, wind or other natural causes or physical deterioration, is no longer habitable nor useful for any other purpose for which it was intended.
 - (5) The existence of any vacant building, garage or outbuilding unless such buildings are kept secured or neatly boarded up and protected to prevent any entrance by vandals.
 - (6) The existence of any incomplete structure unless that structure is in the course of construction in accordance with a valid building permit.
 - (7) The existence of any dangerous structure.

- C. Nuisance. Any parking, storage, accumulation, placement of junk or junk vehicles or operation or maintaining any dangerous structure in violation of the provisions of this ordinance is hereby declared to be a public nuisance which may be enjoined pursuant to the governing law for which the violator may be subjected to a suit for civil damages, as well as the fines and penalties herein provided. It is the duty of the person who creates, causes, allows, suffers or permits the existence of a public nuisance.
- D. Enforcement and Abatement. 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 (B) above is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten (10) days after service of this notice to said owner or occupant. Upon a showing of good cause, additional extension not exceeding sixty (60) days may be granted by the Township, with no more than three (3) extensions granted.

This ordinance shall be enforced by the Township of Sauble through its supervisor or other designated official. The Township of Sauble may seek abatement of the conditions and such other relief as may be obtained by civil procedures in Court, including a judgment for the costs of abatement and a lien against the real estate as allowed by law. This is in addition to and not in derogation of penalties as described in section (E).

- E. Penalties. Any person, firm, or corporation violating any of the provisions of this ordinance shall be subject to a fine of not more than Five Hundred Dollars (\$500.00), along with the costs of prosecution, or imprisonment in the County Jail for a period not to exceed ninety (90) days, or both. Each day that the violation continues to exist shall constitute a separate violation of this ordinance.
- F. Construction. This ordinance shall apply to any other junk yards, salvage yards, garages, body or paint shops operating within the Township except when exempt by special written agreement from the Township Board and shall be in addition to and not in conflict with all other laws and ordinances, respecting junk, junk vehicles and blight.
- G. Saving Clause. Provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable, for any reason by a court of competent jurisdiction, the remaining portions of said ordinances shall remain in full force and effect.