

COLFAX TOWNSHIP  
AMENDED ORDINANCE NO. 19

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Colfax Township, Benzie County, Michigan: to provide for the enforcement thereof; and to provide penalties for the violation thereof; under the authority Granted to the township by Act 344 of the Public Acts of 1945 as amended.

The Township board of the Township of Colfax, County of Benzie, State of Michigan, Ordains:

Section 1. Purpose

Consistent with the letter and spirit of Act 344 of the Public Acts of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or the potential blight in Colfax 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 said township.

Section 2. Causes 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 premises in Colfax Township owned, leased, rented or occupied by such person, firm, or corporation as follows:

- A. The storage upon any premises of any junk automobile, except in a completely enclosed building. For the purpose of this ordinance the term “junk automobile” shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of 60 days.
- B. The outdoor storage upon any premises of building materials unless a valid building permit has been issued by the appropriate authority not more than one year previously for construction upon said premises, and the materials are intended for use in connection with such construction. Building materials shall include but not be limited to 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; provided, that outdoor storage of building materials which is not in violation of applicable zoning or safety regulations is permitted if said materials are kept out of view of the public and abutting premises; and provided further, that all construction debris shall be removed from any premises within thirty days after occupancy thereof.
- C. The storage or accumulation of junk, trash, rubbish or refuse of 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 parts of machinery or motor vehicles, unused household appliances stored in the open, remnants of wood, metal or other materials or other castoff material of any kind whether or not same could be put to any reasonable use.

- D. The existence of any vacant dwelling, garage, or other out-building unless the same is kept securely locked, windows kept glassed or neatly boarded up, and otherwise protected to prevent entrance thereto by vandals.
- E. The causes of blighting factors hereinbefore prohibited unless such uses of property are incidental to and necessary for the carrying on of any business or occupation lawfully being conducted upon the premises involved.
- F. 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, nor useful for any other purpose for which it may have been intended.
- G. In any area, the existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the appropriate authorities and unless exterior construction is completed within one year after issuance thereof.

### Section 3. Enforcement and Penalties

- A. This ordinance shall be enforced by such persons who shall be so designated by the Township Board.
- B. 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 2 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors for such property within ten days after service of the notice upon him. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the enforcement officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- C. Any person who violates any provision of this Ordinance shall be guilty of a civil infraction and subject to penalties as follows:
  - 1. A person who violates this Ordinance shall be guilty of a civil infraction and shall be fined not less than \$100.00 plus costs.
  - 2. A person who violates this Ordinance shall be guilty of a civil infraction and when having been previously responsible or admitted responsibility for a violation of the Ordinance in a civil infraction proceeding, shall be fined an additional \$200.00 for each continuing violation plus costs.
- D. The township may commence an action in Circuit Court for an injunction or other appropriate remedy to enforce the provisions of this ordinance. The rights and remedies provided herein are accumulative and in addition to all other remedies provided by law.

Section 4. Effective Date

This amended ordinance shall become effective (30) days after publication in the local paper.

Date: December 12, 2012

Votes Cast: Ayes: Evitts, Mosher, Draeger, Greene  
Nays: None  
Absent: Besey

Signed: /s/ Ron Evitts  
Supervisor

/s/ DeAnn Mosher  
Clerk

*The foregoing Colfax Township Amended Ordinance No. 19 was published in The Benzie County Record Patriot on January 2, 2013 and became effective February 1, 2013.*