

## 96.000 - BLIGHT ORDINANCE Ord. of 8-24-93

An Ordinance providing for the abatement of dangerous, unsanitary, obnoxious or unsightly conditions upon premises or vacant lands or public rights-of-way within the Township; for the abatement thereof by the Township at the owner's or occupant's expense; failure to comply with the notice to abate the same; prescribing penalties thereof.

### THE ATLAS TOWNSHIP ORDAINS:

#### 96.001 - Unlawful to cause nuisance.

Sec. 1. Whenever any dangerous, unsanitary or unsightly condition shall exist upon any premises or vacant land or public right-of-way fronting and adjoining said premises or vacant land within Atlas Township, whether the same be created by dilapidated structures other than residences, obnoxious growths and overgrowth or weeds or grasses in excess of six inches on occupied lots or 12 inches on vacant lands, obnoxious accumulations or heaps of animal, vegetable or mineral matter or by the presence of any other offensive material to such an extent as to constitute a public nuisance within the meaning of the common law or statutes of the State of Michigan, the Township may serve written notice that the said condition shall be abated, except that bona fide farms shall be exempt from the provisions pertaining to overgrowth, weeds, and grasses.

#### 96.002 - Duty of owner or occupant.

Sec. 2. All persons who own or manage, rent, lease or occupy any premises or vacant land whatsoever shall be equally responsible for keeping said premises in a clean and inhabitable condition and shall take all necessary precautions to prevent any nuisance as described in Section 1 [Section 96.001] of this Ordinance or any other conditions detrimental to public health, safety, or comfort from arising thereon.

#### 96.003 - Cutting of grass and weeds.

Sec. 3. It shall be the duty of the occupant or owner of every premises or vacant land and the owner of unoccupied premises within the Township, to cut and remove or destroy by lawful means all such weeds, grass, or rank noxious or harmful vegetation as often as may be necessary to comply with the provisions of Section 1 [Section 96.001] of this Ordinance.

#### 96.004 - Notice to remedy prohibited condition.

Sec. 4. Upon the discovery of a prohibited conditions existing as set forth in Section 1 [Section 96.001] of this Ordinance, the Building Inspector, or his duly authorized representative, shall notify the owner of the property of such condition and require that it be remedied within seven calendar days. Such notice may be

given in person, or by first class mail, addressed to the last known address of the property owner, or by posting the premises.

96.005 - Failure of owner to remedy.

Sec. 5. Should the owner fail to remedy the condition after notice as described in Section 4 [Section 96.004] of the Ordinance, the Building Inspector or his duly authorized representative, shall thereupon remedy the condition or abate the nuisance or cause same to be done by personnel of the Township or private contractor, and the actual cost of remedying the prohibited condition plus ten percent for inspection and overhead and other additional costs in connection therewith, shall be collected as a special assessment against the premises as provided in Atlas Township and become a lien against said property. Levying or collection of such special assessment shall not relieve any person offending against this Ordinance from the penalty prescribed for the violation of same.

96.006 - Penalty for violation.

Sec. 6. Violation of this ordinance is a municipal civil infractions. In addition to pursuing a municipal civil infraction proceeding, the Township may also institute an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive. Each day a violation of this ordinance shall exist shall be deemed a separate offense. In addition to a fine to be determined by the township board, the court, at its discretion, may award other costs, attorney's fees, damages, expenses and other remedies as provided by law.

(Amended: Ord. No. 16-02, §§ 1, 2, 6-20-16)

96.007 - Severability.

Sec. 7. If any term, section, paragraph, clause or provision of this Ordinance shall be invalid for any reason the same shall not affect the validity of any other provision, term, section, paragraph or clause of this Ordinance which shall remain in force and effect.

96.008 - Repealer clause.

Sec. 8. All ordinances or parts thereof in conflict herewith are hereby repealed and deemed null and void.

96.009 - Effective date.

Sec. 9. This Ordinance shall take effect on August 24, 1993.