

GRAYLING TOWNSHIP  
COUNTY OF CRAWFORD

Ordinance No. 2003-4

Adopted by the Grayling Township Board of Trustees on 10-08-03

Effective 11-24-03

BLIGHT ORDINANCE

An Ordinance to secure the public health, safety and general welfare of the residents and property owners by regulating the storage of junk, rubbish, garbage, inoperable vehicles and trailers within Grayling Township and to protect such storage except under certain conditions and to provide provisions for enforcement, compliance and penalties for violation of the ordinance.

THE TOWNSHIP OF GRAYLING  
COUNTY OF CRAWFORD, MICHIGAN ORDAINS:

Section 1 – TITLE

This ordinance shall be known and cited as the Grayling Township Blight Ordinance.

Section 2 – LEGISLATIVE FINDINGS

It is hereby determined that there exists on both privately and publicly owned parcels of land within Grayling Township accumulations of unsightly junk, rubbish and/or garbage, and inoperable vehicles and trailers, and that such accumulations constitute a hazard to the public health, safety and welfare of the residents of Grayling Township for the reasons that they provide a habitat conducive to the breeding and nesting of rats, mice and other vermin, and also that they contain objects with sharp edges and other hazards which could injure children who would be attracted to play thereon without appreciating the danger thereof and that the regulations contained in this ordinance are the minimum regulations required to eliminate the forgoing undesirable conditions and protect the health, safety and welfare.

Section 3 – DEFINITIONS

The following terms used in the ordinance are defined as follows:

- A. Junk – As used in this ordinance “junk,” means any unused or unusable toys, tires, building materials, furniture, machinery, appliances, or parts thereof.
- B. Rubbish – As used in this ordinance, “rubbish,” means wastepaper, metalware, plasticware, metal cuttings, boxes, glass, straw, shavings, barrels, lumber, paper cartons, brush, lawn cuttings and hedge trimmings.
- C. Garbage – as used in this ordinance, “garbage,” means any accumulation of trash, refuse, or litter, specifically including, but not limited to refuse from the preparation and consumption of food, as well as dead animals (or parts thereof) and discarded edible or drinkable items.
- D. Vehicle – As used in this ordinance, “vehicle,” means motorized and non-motorized mechanical devices which have the primary purpose of transporting people on land, air and water, including, but not limited to motor homes, cars trucks, airplanes, snowmobiles, motorcycles, boats (including canoes), and bicycles.
- E. Inoperable – As used in this ordinance, “inoperable,” means any vehicle unable to perform its primary, legal function of transportation because of mechanical condition, missing parts or non-licensure or registration if same is required by state law.
- F. Trailer – As used in this ordinance, “trailer,” means any non-motorized device which must be pulled by a vehicle and is used for the purpose of transporting other vehicles or items of any kind, including but not limited to utility and recreational travel trailers.

#### Section 4 – Unlawful Acts

- A. Storage of Junk, Rubbish, Garbage – No longer, occupant or possessor of land within Grayling Township shall keep or permit to be kept at any time on such parcel, any accumulation of junk, rubbish and / or garbage unless the same is within a completely enclosed building.
- B. Storage of Inoperable Vehicles and Trailers – No owner, occupant or possessor of land within Grayling Township shall keep or permit to be kept, for more than (5) consecutive days, any inoperable vehicle or trailer, including vehicles and trailers under owner repair, unless said vehicle or trailer is within a completely

enclosed building or completely screened behind a six-foot-high fence in the side or rear yards as defined in the Grayling Township Zoning Ordinance currently in effect.

- C. Placement of Junk, Rubbish, Garbage and /or Inoperable Vehicles and Trailers – No person shall place junk, rubbish, garbage and / or inoperable vehicles or trailers on the property of another, including any governmentally owned property.
- D. Vehicles and Trailers for sale – Residential property and occupants wishing to display and sell personal vehicles or trailers on their properties may display no more than two vehicles or trailers, or one vehicle and one trailer, at any one time for a period not to exceed 60-days in any 365-day period. Vehicles or trailers for sale shall not be displayed on vacant properties. Vehicles or trailers for sale need not to be licensed but shall be operable in all other ways. Vehicles or trailers for sale shall be clearly marked, “FOR SALE.” No person shall place vehicles or trailers for sale on the property of another, including any governmentally owned property or road right-of-way, without the written consent of the owner.

#### Section 5 - Exceptions

- A. This ordinance does not apply to inventory on premises occupied by a merchant licensed under MCL 205.53 and conducting a lawful business or to the property of patrons of a lawful motor vehicle repair facility, furniture or appliance repair facility, or gasoline service station while left on the premises of either for purposes of service or repair, nor does this ordinance apply to licensed salvage yards which are regulated under Public Act 12 of 1929.
- B. Recreational vehicles and trailers which are usable, in good repair and are customarily licensed on a seasonal basis shall be allowed to be kept on the owner’s property without license during the off-season so long as they are stored in adherence to the Grayling Township Zoning Ordinance currently in effect.
- C. Recreational, commercial and agricultural vehicles and trailers not required to be licensed or registered by the State of Michigan shall be allowed to be kept on the owner’s property without license so long as they are stored in adherence to the Grayling Township Zoning Ordinance currently in effect.
- D. Junk, Rubbish , and Garbage may be kept in a temporary, roadside storage container, with closable lid, used for the purpose of

keeping rats, foraging animals and other vermin away from the contents, and awaiting pickup by a refuse hauling company for up to a 48-hour period, so long as the temporary storage container shall not be larger than (2) two-cubic-yards in size and must have a locking or latching device sufficient to prevent opening by foraging animals.

Section 6 – Enforcement and Sanctions

- A. Any person who violates any provision of this Ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$100, plus costs and other sanctions, for each violation (as authorized by Section 3 of Act 246 of the Public Acts of Michigan of 1945, as amended, the Grayling Township Municipal Civil Infraction Ordinance (97-3), and other applicable laws.)
- B. Repeat offenses under this Ordinance shall be subject to increased fines as provided by this section, below. As used in this section, “repeat offense,” means a second (or any subsequent) violation of the same requirement or provision of this ordinance, as determined by the Supervisor, Zoning Administrator, or Ordinance Enforcement Officer, for which the person admits responsibility or is determined to be responsible.
- C. The schedule of fines under this Ordinance shall be as follows:

First offense incurred	\$100.00 + costs
First repeat offense incurred	\$250.00 + costs
Second or subsequent repeat offense incurred	\$500.00 + costs
- D. Each day on which any violation of this Ordinance occurs or continues constitutes a separate offense subject to separate sanctions.
- E. The Supervisor, Zoning Administrator, and /or Ordinance Enforcement Officer (in addition to any police officer) is hereby designated as the authorized township official to issue municipal civil infraction citations and municipal civil infraction notices for violations of this Ordinance, as provided by the Grayling Township Municipal Civil Infraction Ordinance (97-3).

- F. In addition to any remedies available at law, the township may bring an action for injunction or other process against any person to restrain, prevent or abate any violation of this Ordinance.
- G. All Delinquent fines and costs associated with the adjudication of this Ordinance may be added to the owner's property tax bill for the parcel which is/was in violation. Such delinquencies must be billed under the heading, "Ord. Violation Fees," on each property tax bill.
- H. The Grayling Township Supervisor and /or Grayling Township Zoning Administrator may initiate injunctive relief through the courts, of persons in violation of this Ordinance without the expressed consent of the Grayling Township Board of Trustees.
- I. A property owner or occupant who is sited for violation under this Ordinance may appeal to the Grayling Township Board of Trustees, if extenuating circumstances are involved.

#### Section 7 – Prima Facie Proof

- A. In any litigation arising under this ordinance, testimony that any toys, building materials, furniture, machinery, appliances, or parts thereof, have been observed in the same place on at least (7) seven consecutive or non-consecutive calendar days, shall constitute prima facie proof that such constitute junk, as defined in Section 3.
- B. In any litigation arising under this ordinance, testimony that any unlicensed vehicle, including but not limited to cars, trucks, snowmobiles, motorcycles, boats (including non-motorized boats), or parts thereof, that have been observed in the same place on at least (14) fourteen consecutive days, shall constitute prima facie proof that such constitute inoperable vehicles, as defined in Section 3.

#### Section 8 – Severability

The 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 any court of competent jurisdiction, it shall not affect any other portion of this Ordinance.

#### Section 9 – Repeal of Ordinance 92-3

This Ordinance replaces the Junk and Garbage Ordinance for Grayling Township (92-3), which is hereby repealed on the effective date of this Ordinance.

Section 10 – Repeal of Ordinance 97-4, Section 2

This Ordinance replaces Section 2 of Grayling Township Ordinance 97-4, which is hereby repealed on the effective date of this Ordinance.

Section 11 – Amendment of Ordinance 97-3

This Ordinance replaces the wording, “Ordinance No. 92-3,” or “Ord. 92-3” or Junk and Garbage Ordinance,” made in Section 8 of Ordinance 97-3, with the wording, “Blight Ordinance 2003-4.” Those wordings are hereby repealed on the effective date of this Ordinance.

Section 12 –Effective Date

This Ordinance shall take effect 30 days after publication as required by law.

Monica S. Ashton  
Grayling Township Clerk