

VILLAGE OF AKRON
BLIGHT ORDINANCE
ORDINANCE NO. 1100-A

**AN ORDINANCE TO REGULATE AND PREVENT BLIGHT WITHIN THE VILLAGE OF
AKRON.**

**BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF AKRON,
MICHIGAN THAT:**

SECTION 1. DEFINITION AND CAUSE 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. It is determined that elimination of blight is necessary to promote the public health, safety and general welfare of the residents and property owners of the Village of Akron. No person, firm or corporation of any kind shall maintain or permit the maintenance of any of the following causes of blight or blighting factors upon any property in the Village of Akron owned, leased, rented or occupied by any such person, firm or corporation:

- A. In any area zoned residential and/or commercial purposes, the storage upon any property of junk automobiles, except in a completely enclosed building. For the purpose of this subsection the terms "junk automobiles" shall include any motor vehicle which is not licensed for use upon the highway in the State of Michigan for a period in excess of 30 days and shall also include, whether so licensed or not, any motor vehicle which is inoperable for any reason for a period in excess of (fourteen) 14 days. Exemptions: notwithstanding any provision to the contrary in this division, the Zoning Administrator may exempt from the provisions of this division for any reasonable period of time any historic or classic vehicle, any vehicle in a process of restoration or repair, or any vehicle which by reason of special circumstances is deemed by him/her not to be a junk or abandoned motor vehicle.
- B. In any area zoned residential and/or commercial purposes, the storage upon any property of building materials unless there is in force a valid building permit issued by the appropriate governmental agency for construction upon said premises and said material are intended for use in connection with such construction or are a part of stock or trade business located upon said premises. For purpose of this subsection, "building materials" shall include but shall not be limited to: lumber, brick concrete, or cinder block, plumbing materials, electrical or wiring equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or any materials used in constructing a structure.

- C. In any area zoned for residential and/or commercial purposes, the storage or accumulation of junk, trash, rubbish, or refuse of any kind except in a completely enclosed building. Domestic refuse shall be allowed if stored in such a manner as not to create a nuisance and stored at least thirty (30) feet from any other residential structure for a period not to exceed seven (7) consecutive days. For purposes of this subsection, the term "junk" shall include parts of machinery or motor vehicles, unused appliances stored in the open, remnants of wood, metal, or other material, or other castoff material of any kind whether or not the same could be put to any reasonable use.
- D. In any area the existence of any structure or part of a structure, which because of a fire, wind or other natural disaster, or physical deterioration or vandalism, is no longer habitable as a dwelling nor useful for any other purpose for which it may have been intended.
- E. In any area zoned for residential and/or commercial purpose, any vacant dwelling, garage, or other outbuildings unless they are kept securely locked, windows either glazed or boarded to prevent unauthorized entrance by vandals or minors and utility services disconnected.
- F. In any area any partially completed structure unless such structure is in the course of the completion in accordance with a valid and property issued building permit issued by the appropriate government agency and unless such construction is completed within the deadlines established by the applicable construction codes.

SECTION 2. NOTICE TO OWNER, AGENT OR OCCUPANT:

The Village shall notify, by first class mail or personal service, the owner, agency and/or occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2 herein are found to exist, to remove or an attempt is made to eliminate such causes of blight or blight factors from said property within fourteen (14) calendar days after the mailing or personal service of the notice upon such owner, agent and/or occupant.

SECTION 3. VIOLATION CONSTITUTES NUISANCE:

The existence of such causes of blight or blighting factors shall be considered a nuisance per se and subject said owner, agent or occupant to any and all legal and equitable remedies available in the courts of the State, without limitations and in addition to the penalties set forth in the following Section.

SECTION 4. ENFORCEMENT AND PENALTIES:

- A. This Ordinance shall be enforced by such person as shall be designated by the Village Council.
- B. If the owner, agent, and/or occupant of any property upon which any of the causes of blight or blighting factors set forth in this Ordinance is found to exist shall fail to be remove or an attempt is made to eliminate such causes from the property within fourteen

(14) calendar days after service of notice upon said person shall constitute a violation of this Ordinance.

- C. Any violation of the provisions of the Ordinance shall be a Municipal Civil Infraction and shall be subject to a fine, fifty (\$50) dollars for first offence, one hundred (\$100) dollars for second offence and two hundred fifty (\$250) dollars for third offence plus court costs, of the same offence. A two hundred fifty (\$250) dollar fine will be added to each offence thereafter, of the same offence.
- D. In addition, to the penalties described previously, if it is necessary for the Village to undertake the removal of any blighting conditions on property, the fees and expenses incurred by the Village, including reasonable attorney fees if legal proceedings are initiated in the courts of the state, shall be assessed to the owner of the property. If such fees and expenses are not paid by the owner within thirty (30) days from the billing date, the Village shall be authorized to add to the real and property taxes assessed to the parcel in question all such fees and expenses which shall be collected in the same fashion and manner as other real and personal property taxes assessed within the Village.

SECTION 5. VALIDITY:

- A. All Ordinances or part of this Ordinance in conflict herewith are hereby repealed.
- B. If any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 6. ORDINANCE IN FORCE:

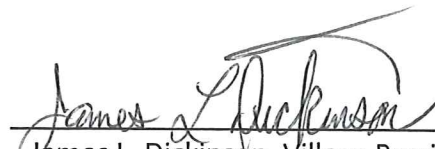
This Ordinance shall be in full force and effect from and after its passage and approval and publication by law.

This Ordinance enacted by the Village Council of the Village of Akron at a regular meeting held at the Council Chambers in said Village on 16th day of March, 2021.

Yeas: Dickinson, Dworzecki, D. Cox

Nays: Rokunja, Kramer

Absent: M. Cox


James L. Dickinson, Village President

I, Shari Hadaway, Clerk of the Village of Akron, do hereby certify that the above Ordinance is a true and correct copy of an Ordinance passed by the Village Council of the Village of Akron, Tuscola County, Michigan, at a regular meeting on 16th day of March, 2021.



Shari Hadaway, Village Clerk