

# 03-2025 Hay Township Anti-Blight Ordinance

Implemented 10-2007 Revised 04-2025

An ordinance to define and establish conditions on real estate which are considered to constitute blight and to prescribe penalties and other relief available to the Township to eliminate such blight conditions for the purposes of promoting the public health, safety, and general welfare of the residents of Hay Township, Gladwin County, Michigan.

THE TOWNSHIP OF HAY, GLADWIN COUNTY, MICHIGAN, ORDAINS:

## **SECTION 1. Short Title.**

This Ordinance shall be known as the “Hay Township Anti Blight Ordinance”.

## **SECTION 2: Definition of Junk and Disabled Motor Vehicles.**

It is hereby determined that the following uses and activities are causes of blight or blighting factors, which if allowed to exist, will tend to result in blighted and undesirable areas within Hay Township. Such conditions constitute a nuisance and, if allowed to exist, are contrary to the public peace, health, safety, and welfare of the residents of Hay Township.

On and after the effective date of this Ordinance, no person, firm, or corporation shall maintain or permit to be maintained any of the following causes of blight or blighting factors up any real estate owned, leased, rented, or occupied by such person, firm or corporation within Hay Township.

- A. The outdoor storage upon any property of three (3) or more disabled motor vehicles or the disassembling, teardown or scrapping of a motor vehicle, or the scavenging or stripping of a motor vehicle, except as permitted by this or other Township ordinance. For the purpose of this Ordinance, the term “disabled motor vehicle” shall include any motor driven vehicle which is incapable of being self-

propelled upon the public streets, or which does not meet the statutory requirements for operation upon the public streets, include a current license and/or statutory motor vehicle insurance coverage.

- (1) Disabled motor vehicle shall not be permitted to be parked nor stored in a front or side yard of a parcel as defined by the Gladwin County Zoning Ordinance. However, a reasonable time period not to exceed thirty (30) days from the time of disability, shall be permitted for the removal or servicing of a vehicle disabled by accident or breakdown.
- (2) Two or fewer disabled motor vehicles are permitted in the rear yard of a parcel as defined by the Gladwin County Zoning Ordinance. However, a disabled vehicle shall not be permitted to remain outside of a building or a sight-proof fence, hedgerow, or otherwise sheltered from view from adjoining properties or the adjacent road, for a period more than thirty (30) days on any residential property or on that portion of any lot within twenty (20) feet of a contiguous parcel used for residential purposes.
- (3) Storage, service and repair of disabled motor vehicles or other machinery by and owner or tenant of the premises incidental to and during a period when agricultural operations are being conducted in any agricultural zone shall be permitted, provided that such use is neither a commercial nor industrial use, and provide further when performed outside a completely enclosed structure, such use is set back at least one hundred (100) feet from the nearest adjoining residential building and upon the

further condition that such use shall not be permitted with a front yard as defined by the Gladwin County Zoning Ordinance.

- B. The outside storage or accumulation of rubbish, refuse, waste materials, garbage, paper, glass, cans, bottles, trash, debris, junk or other foreign substances of every kind and description. Domestic refuse which is stored for a period not to exceed fifteen (15) days is permitted. The term “junk” shall mean (and not limited to) old or scrap, ferrous or nonferrous materials, rope, rags, batteries, papers, plastic, rubber, junked, dismantled, or wrecked farm machinery or equipment, and appliances or other manufactured items, and all other trash or waste materials.

### **SECTION 3. Notice to Owner, Agent or Occupant.**

The Township of Hay shall notify in writing, by first class mail or personal service, the owner, agent, and/or occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2 are found to exist, to remove or eliminate such caused of blight or blighting factors are found to exist, to remove or eliminate such caused of blight or blighting factors from said property within thirty (30) days.

### **SECTION 4. Violation Constitutes Nuisance.**

The existence of such caused 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 Michigan without limitation and in addition to the penalties set for in the following section.

### **SECTIONS 5. Civil Infraction.**

Any owner, agent, or occupant who shall violate any of the provisions of this Ordinance, and who is found to be responsible for such violation, shall be

subject to payment of a civil fine, costs or damage or expenses as ordered by the court, including cost of not less than \$50.00 or more than \$500.00, plus all costs to be reimbursed to the Hay Township General Fund. The court may issue writs or orders and a lien may be filed against the subject property to compel payment of indebtedness.

In addition to being a civil infraction, the Township may pursue any other legal or equitable remedies available in the courts of this state without limitation to prevent, enjoin and/or correct any violation of this Ordinance.

#### **SECTION 6. Severability.**

Should any part of this Ordinance be declared unconstitutional, illegal or of no force and effect by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole or part thereof other than the part declared to be invalid.

#### **SECTION 7. Effective Date.**

This Ordinance shall take effect thirty (30) days after the first publication of the Ordinance following adoption, as required by law.

#### **Section 8. Enforcement.**

This Ordinance shall be enforced by such person or persons as designated by the Hay Township Board including, but not limited to, a Township Enforcement Officer

#### **Section 9. Repealer.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed, provided that this Ordinance shall not be construed to repeal expressly or by implication any provision of the Township Ordinances.

