

02-2025 Hay Township Blighted Structure Ordinance

Implemented 03-2006 Revised 04-2025

An ordinance to prevent, reduce or eliminate blighted structures within the Township of Hay, to provide enforcement of this ordinance, and to provide penalties for the violation hereof, as provided by MCL 41.181 ET SEQ

The Township of Hay, Gladwin County, Michigan ordains:

Section 1. Title: This ordinance shall be known as the Hay Township Blighted Structure Ordinance and may hereafter be referred to as “this ordinance”

Section 2. Purpose: Pursuant to provisions of MCL 41.181 ET SEQ., it is the purpose of this Ordinance to prevent, reduce and/or eliminate blighted structures which may now exist, or which may exist in the future in Hay Township.

Section 3. Definition of Blighted structure

A blighted structure is defined as:

Any structure or part of any 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.

Any vacant dwelling, garage or other outbuilding, unless such building is kept securely locked, windows kept glazed or boarded up, and other wise protected to prevent entrance by vandals or other unauthorized persons.

Any partially completed structure, unless such structure is in the course of construction in accordance with a valid building permit issued by the County and such construction is completed within a reasonable time.

Section 4. Offenses: No person or entity shall maintain any blighted structure on any land within Hay Township, nor shall any person or entity allow any blighted structures to exist on property within Hay Township.

Section 5. Enforcement: This Ordinance shall be enforced by such person or persons as may be designated by the Hay Township Board including, but not limited to, a Township Ordinance Enforcement Officer.

Section 6. Notice to remedy condition: The owner and/or the occupant of any property upon which any blighted structure exists shall be notified in writing to remove or eliminate the blighted structure within thirty (30) days after service of notice upon the property owner and/or occupant. Such a notice may be served personally or by certified mail/ return receipt requested. Additional time may be granted by the enforcement officer, where a bona fide effort to remove or eliminate the blighted structure is in progress.

Failure to comply with such notice within the time allowed by the owner and/or occupant shall constitute a violation of this ordinance.

Section 7. Penalties: Any person or other entity who violates any provision of this ordinance is responsible for a civil infraction as defined by Michigan law and subject to a civil fine of not more than \$500.00 plus costs, which may include all direct and indirect expenses to which the Township has incurred in connection with the violation. In no case, however, shall costs of less than \$25.00 be ordered. The imposition of any sentence shall not exempt this offender from compliance with the provision of the Ordinance.

Section 8. Declaration of nuisance: All violations of this Ordinance or any part thereof are declared a nuisance per se.

Section 9. Additional remedies: In addition to the foregoing provisions relation to penalties, the Township specifically reserves the right and shall have the authority to proceed in any court of competition jurisdiction for the

purpose of obtaining an injunction, restraining order, or other appropriate remedy to abate the violation of this Ordinance and the blighted structure of any parcel of property within Hay Township, and to compel compliance with this Ordinance. Each day that a violation shall continue constitutes a separate offense. The imposition of any sentence shall not exempt this offender from compliance with the provisions of this Ordinance.

Section 10. Severability: This ordinance and its sections, sentences, and clauses are declared to be severable. If any part, section, sentence or clause is determined unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. The captions included at the beginning of each section are for convenience only and shall not be considered a part of this Ordinance.

Section 11. 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.

Section 12. Effective date and adoption: This ordinance shall become effective thirty (30) days after its publication as required by law.