

CHARTER TOWNSHIP OF HAMPTON  
ORDINANCE NO. 13 - 1  
ANTI-BLIGHT ORDINANCE -- FIRST AMENDMENT

An Ordinance to amend the Charter Township of Hampton Anti-Blight Ordinance, being the Charter Township of Hampton Ordinance No. 13, by amending Sections 2, 3 and 4 of said Ordinance No. 13.

THE CHARTER TOWNSHIP OF HAMPTON, BAY COUNTY, MICHIGAN ORDAINS:

SECTION 1. SHORT TITLE.

This Ordinance shall be known as the "Anti-Blight Ordinance -- First Amendment."

SECTION 2. CAUSE OF BLIGHT OR BLIGHTING FACTORS - (Section 2 of Ordinance No. 13, as amended).

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 areas within the Charter Township of Hampton. On and after the effective date of this Ordinance no person, firm or corporation of any kind shall maintain or permit to be maintained any of the following causes of blight or blighting factors upon any property owned, leased, rented or occupied by such person, firm or corporation within the Charter Township of Hampton,

A. The storage upon any property of 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 Ordinance of the Charter Township of Hampton. 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, including a current license,

(1) Disabled motor vehicles shall not be permitted in a front yard, as defined by the Charter Township of Hampton Ordinance No. 36, Chapter III, Section 59 (a), provided however, that a reasonable time, not to exceed seventy-two (72) hours from the time of disability, shall be permitted for the removal or servicing of a disabled vehicle in any emergency caused by accident or breakdown of the vehicle.

(2) One disabled motor vehicle will be permitted in a side or rear yard, as defined by Charter Township of Hampton Ordinance No. 36, Chapter III, Section 59, (b) and (c), as amended, of any lot or parcel of land in the Township, provided however, a disabled vehicle shall not be permitted to remain outside of a building for a period in excess of thirty (30) days on any lot used for residential purposes or on that portion of any lot within twenty (20) feet of an abutting lot used for residential purposes.

(3) Storage, service, and repair of a disabled motor vehicle in a residential or residential-business transition zone shall be permitted by an owner or tenant of the premises when the vehicle is titled in the name of such person and on condition the storage, service or repair is conducted entirely within the confines of an accessory building, as defined in the Charter Township of Hampton Ordinance 36, Chapter III, Section 3, without the use of air pressure hammers, chisels, or similar noise-producing tools, and upon the further condition that such use is neither a commercial nor an industrial use nor otherwise prohibited by other ordinances of the township. 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 limitation and in addition to the penalties set forth in the following paragraph.

(4) Storage, service, and repair of disabled motor vehicles or other machinery incidental to and during a period when agricultural operations

are being conducted in an agricultural zone shall be permitted by an owner or tenant of the premises, provided that such use is neither a commercial nor industrial use and provided further when outside such use is removed at least 100 feet from the nearest adjoining residential building used for residential purposes and upon the further condition that such use shall not be permitted within a front yard as defined by the Charter Township of Hampton Ordinance No. 36, Chapter III, Section 59(a).

B. Outside storage upon any property of building materials unless there is in force a valid building permit issued by the Charter Township of Hampton, and unless said materials are intended for use in connection with such construction, on the premises where such materials are located. Building materials shall include, but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in construction of any structure.

C. The storage or accumulation of rubbish, refuse, waste materials, garbage, offal, paper, glass, cans, bottles, trash, debris, junk or other foreign substances of every kind and description. Domestic refuse, which is stored in such a manner as not to create a nuisance, for a period of not to exceed thirty (30) days is permitted. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of wood, metal or other material or other cast-off material of any kind, whether or not the same could be put to any reasonable use.

D. The existence of any structure or part of a structure which because of fire, wind or other natural disaster or physical deterioration is no longer habitable as a dwelling, or not useful for any other purpose for which it may have been intended.

E. The existence of any vacant dwelling, garage or other outbuildings unless the same are kept securely locked, windows kept glazed or neatly

boarded up, or otherwise protected to prevent, restrict or impede entrance thereto by minors, vandals, or other unauthorized persons.

F. The existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid and subsisting building permit, and unless such construction is completed within the original deadline of the building permit or any valid extension of the deadline of such building permit.

SECTION 3. NOTICE TO OWNER, AGENT OR OCCUPANT - (Section 3 of Ordinance No. 13, as amended).

The Charter Township of Hampton shall notify, by first class mail or personal service, the owner or owners, agent or agents, and/or occupant or occupants 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 eliminate such causes of blight or blighting factors from said property within ten (10) days after mailing or personal service of the notice upon such owner or owners, agent or agents and/or occupant or occupants.

SECTION 4. PENALTY - (Section 4 of Ordinance No. 13, as amended).

Any owner, agent or occupant, who shall violate any of the provisions of this Ordinance, shall be subject to a fine of not more than Five Hundred and no/100 (\$500.00) Dollars, or imprisonment in the County Jail not exceeding ninety (90) days, or both, in the discretion of the Court, such penalties to be in addition to any other legal and equitable remedies available in the Court of this State without limitation.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the 31st day after publication following adoption, as required by law.