

**CITY OF HARTFORD
ANTI BLIGHT ORDINANCE 304 - 07**

THE CITY OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, HEREBY ORDAINS:

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within the City of Hartford, Van Buren County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by Public Act 344 of 1945, as amended, the Blighted Area Rehabilitation Act (MCL 125.71, *et seq.*),

THE CITY OF HARTFORD, VAN BUREN COUNTY, MICHIGAN, ORDAINS:

Section 1: Purpose

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in the City of Hartford by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the City of Hartford.

Section 2: Causes 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. 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 these causes of blight or blighting factors upon any property in the City of Hartford owned, leased, rented or occupied by such person, firm or corporation.

- A. In any area zoned for residential purposes, the storage upon any property of junk automobiles, except in a completely enclosed building. For the purpose of this ordinance, the term "junk automobiles" shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan, and shall also include, whether so licensed or not, any motor vehicle which is inoperative.
- B. In any area zoned for residential purposes, unless approved by the City, the storage of any building materials other than in a completely enclosed building. 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, steel, or any other materials commonly used in constructing any structure. This definition shall not apply to building materials temporarily on a site when there is in force a valid building permit.
- C. In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance

for a period not to exceed ten (10) days. The term "junk" shall include, but is not limited to: parts of machinery or motor vehicles; unused, dilapidated, unlicensed or disassembled snowmobile, ATV, farm tractor, lawn tractor, trailer or semi-trailer, motorcycle; unused stoves or other appliances stored in the open; remnants of wood, metal or any other material or other cast-off 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 any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable, if a dwelling, nor useful for any other purpose of which it may have been intended, or as may be prohibited by the Michigan Building Code.
- E. In any area, the existence of any vacant dwelling, garage or other out-building unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons.
- F. In any area, 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 issued by the City and unless such construction is completed within a reasonable time.

Section 3: Enforcement and Penalties

- A. This ordinance shall be enforced by such persons who shall be so designated by the City Council.
- B. The owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within ten (10) days after service of the notice upon him or her. Such notice may be served personally, by first class mail postage prepaid, or by posting the notice in a conspicuous place on the property. Additional time may be granted by the enforcement officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- C. Failure by the owner and/or occupant to comply with terms of the notice required by Section 3(B) within the time allowed shall constitute a violation of this ordinance.
- D. Violation of this ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment not exceeding Ninety Three (93) days or by both such fine and imprisonment in the discretion of the Court of competent jurisdiction.
- E. Injunctive Relief. The foregoing penalties shall not prohibit the City from seeking injunctive relief against a violator, or such other appropriate relief as may be

provided by law. Costs of prosecution and/or enforcement and/or repair, alteration, razing may be assessed to anyone, jointly and severally, in violation thereof. Said costs may be added to the tax roll of the defendant as a special assessment.

- F. Cost Recovery. That in addition to all other penalties, the City of Hartford may bring an action for costs of enforcement and prosecution expense upon any person(s), corporation(s) and/or firm(s) that have violated the City's Ordinances. The cost of enforcement and prosecution shall be the actual amount of attorney fees and out-of-pocket expense for enforcement of the ordinance. An itemized list of fees and costs shall be given under oath and shall be prime facia evidence of the fees and costs.

Section 3: Repeal

- (1) Any and all anti-blight ordinances previously adopted by The City of Hartford, as amended, are hereby repealed.
- (2) All ordinances or provisions of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 4: Effective Date and Adoption

This ordinance shall become effective upon its publication.

Motion by: Keyser Second by: Rios

Upon roll call vote, the following voted:

AYES: Hall, Keyser, Latus, Rios, Scholten, Woodruff and Johnson
NAYS: None
ABSTAIN: None
ABSENT: None

Adopted: January 28, 2008

THE CITY OF HARTFORD

RoxAnn Rodney-Isbrecht
Clerk, City of Hartford