



RESOLUTION #180101

**TYRONE TOWNSHIP
BEAUTIFICATION ORDINANCE NO. 30B**

An ordinance enacted pursuant to the authority of Act 246 of the public Acts of 1945, as amended, and Act 91 of the public Acts of 1939, as amended, to promote beautification in the township; to prevent, reduce and eliminate blight, blighting factors and nuisances and potential blight, blighting factors and nuisances in Tyrone Township; to preserve, promote and protect the health, safety and general welfare of the persons and property within the township; to provide for the enforcement hereof; and to provide penalties for the violation hereof.

The Township of Tyrone, County of Livingston, State of Michigan, ordains:

SECTION 1.0 TITLE

This Ordinance shall be known and cited as the Tyrone Township Beautification Ordinance.

SECTION 2.0 PURPOSE

It is the purpose of this Ordinance to prevent, reduce and eliminate blight, blighting factors and nuisances in the township by preventing or eliminating certain conditions and uses of land and buildings and structures in the township which cause blight or nuisance. These conditions and uses may now exist or may in the future exist within the Township.

SECTION 3.0 BLIGHT, BLIGHTING FACTORS, NUISANCES AND CAUSES THEREOF PROHIBITED

All blight, blighting factors, nuisances and causes thereof as defined herein, are prohibited upon all property in the township and shall constitute illegal nonconforming uses to be abated. No owner, occupant or other person shall permit any such uses to exist upon any property, in the township.

SECTION 4.0 BLIGHT, BLIGHTING FACTORS, NUISANCES AND CAUSES THEREOF

The following conditions and uses of land, building and structures are determined to be blight, blighting factors, or nuisances, at or causes thereof, which will result in blighted and undesirable neighborhoods or which will result in public nuisances unless abated:

A. The keeping, maintaining or outside storage of junk vehicles to include but not limited to automobiles, trucks, snowmobiles, trailers, boats, vans, motor homes, campers, quad runners, three wheelers, or any other device for transporting persons, animals or items. A junk vehicle is defined as including, but not necessarily limited to, any automobile which is not licensed for use, upon the highways of the State of Michigan for a period in excess of thirty (30) days or, whether or not

licensed, not operable for the use for which it was intended for a period in excess of sixty (60) days, unless otherwise permitted pursuant to the provisions of this Ordinance. A junk vehicle does not include those that are stored at all times in a fully enclosed building.

B. The keeping, maintaining, accumulating or storage of junk, trash or litter. Junk, trash and/or litter is defined as including:

1. Parts of machinery or automobiles, discarded or abandoned machinery, equipment, trailers, boats or partially dismantled motorized vehicles or parts of any type or character,
2. The presence of any dismantled, partially dismantled or inoperable motor vehicle or parts thereof outdoors on any premises in the Township of Tyrone is hereby declared to be a public nuisance and is hereby further declared to be offensive.
3. Used, abandoned, or discarded stoves, refrigerators, televisions and all other appliances, containers, crates, boxes or other similar items unless waiting for removal at the next weekly trash pickup.
4. Scrap metal of every kind, such as, but not necessarily limited to, copper, brass, iron, steel, metal shavings, metal scrap or scrap metal in any other form.
5. Broken glass or any other dangerous pointed or edged substances.
6. Litter, refuse, rubbish, garbage and/or trash such as, but not necessarily limited to, discarded, useless, previously used, and / or spoiled items, rope, rags, batteries, paper, boxes, rubber, plastics, paints, chemicals, paper and food items lumber, roof shingles or any other building material of any type and etc. in any form but excludes fire wood cut in the form of logs, split or unsplit.
7. Used furniture designed for indoor use stored out of doors unless waiting for the removal at the next weekly trash pickup.

C. Any well or cistern which is not sufficiently covered so as to prevent access by any person or which is not fenced with a good and substantial fence of a height of not less than four (4) feet.

D. Any hole, excavation or partially constructed basement which is not sufficiently covered so as to prevent access by any person or is not fenced with a good and substantial fence to a height of not less than four (4) feet where the same is for the purpose of ongoing construction of a building or structure pursuant to valid land use and building permits and where more than thirty (30) days have elapsed from the date of the commencement of digging, and excavation.

E. Any building or structure, or portion thereof, which is unguarded, broken or open at any door or window or any other portal or opening permitting ingress. This section does not apply to structures for which a building permit has been issued and is unexpired and active construction is occurring.

F. Any dwelling which does not have adequate facilities for the disposal of human excreta or other sewage.

G. Any dwelling which does not have available within, or upon its premises, a sufficient source of potable water which meets the Drinking Water Standards of Livingston County.

H. Any building or structure, or portion thereof, which by reason of structural damage caused by fire, explosion, wind, rain or other natural disaster or by reason of vandalism or other intentional damage or by reason of neglect, lack of maintenance, obsolescence, physical deterioration, dilapidation and the like and is no longer reasonably and safely useful for any other purpose for which it was originally intended.

I. Any building or structure, or any portion thereof, which constitutes a fire hazard or is dangerous to human life for any other reason not specifically listed herein.

J. Any building or structure, or any portion thereof, which due to any one or more of the conditions of this ordinance cannot be repaired, rehabilitated or completed, so as to abate its violation of this ordinance.

K. Throwing or depositing litter in or upon any public or private property within the township.

SECTION 5.0 FINES AND SANCTIONS

Any person who violates any provision of this ordinance shall be guilty of a municipal civil infraction as defined by Michigan statute and shall be punished by a civil fine determined in accordance with Municipal Civil Infraction Ordinance, as may be amended from time to time by a Township Board resolution.

SECTION 6.0 SEVERABILITY

The provisions, sections, sentences and phrases of this Ordinance are declared to be severable and if any such portion is declared unconstitutional or invalid for any reason by a Court of competent jurisdiction, such finding shall in no way affect or invalidate the remainder of this Ordinance.

SECTION 7.0 EFFECTIVE DATE

This Ordinance will become effective thirty (30) days after the publication in the Tri-County Times newspaper. *(See effective dates below.)*

RESOLVED BY: Trustee Pool

SUPPORTED BY: Trustee Schultz

VOTE: Schultz, yes; Pedersen, yes; Pool, yes; Eden, yes; Husted, yes; Cunningham, yes; Walker, absent.

Adoption Date: January 16, 2018

Publication Date: January 21, 2018

Effective Date: February 20, 2018

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on January 16, 2018, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Tyrone Township Clerk

REVISIONS:

2018 JANUARY- Sections 4.0.A. and 4.0.B.3. includes additional descriptions of blight; 4.0.E. excludes structures for which a building permit has been issued and is unexpired and active construction is occurring.