

CHARTER TOWNSHIP OF HAMPTON

ORDINANCE NO. 13-3

ANTI-BLIGHT ORDINANCE – THIRD AMENDMENT

An ordinance to amend the Charter Township of Hampton Anti-Blight Ordinance, being the Charter Township of Hampton Ordinance No. 13, by amending said ordinance to add sub-section H to section 2 of said Ordinance No. 13.

Through duly authorized action of its Board of Trustees, having determined that areas of Hampton Township are or may become blighted and that such blighted areas are detrimental or inimical to the health, safety, morals, and general welfare of the citizens and to the economic welfare of the municipality; that in order to improve and maintain the general character of the Township it is necessary to rehabilitate such blighted areas; that the conditions found in blighted areas cannot be remedied by the ordinary operations of private enterprise with due regard to the general welfare of the public, without public participation; that the purposes of this Ordinance are to rehabilitate such areas by eliminating blight and blight factors within all areas of the Township for the protection of the health, safety, morals and general welfare of the Township; and the necessity and the public interest for this Ordinance are hereby declared as a matter of legislative determination to be a public purpose, and for the protection of the health, safety and welfare of the residents of the Charter Township of Hampton.

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

Section 1. Short Title.

This Ordinance shall be known as the "Anti-Blight Ordinance – Third 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 or 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.

H. The exteriors of all commercial building or buildings located in any shopping center shall be maintained so as to present a neat and orderly appearance. Windows shall be kept glazed, painted surfaces kept properly painted and all other appropriate measures shall be taken to properly maintain the buildings. Where buildings within a shopping center are owned by separate entities, the obligations of this sub-section H shall fall only upon those persons responsible for the maintenance of the particular buildings which are not being maintained in accordance

with this sub-section. The proprietor shall install and maintain landscaping on all areas of the shopping center or commercial building premises not occupied by buildings, sidewalks, parking lots, driveways and similar surfacing. Landscaping shall consist, at the minimum, of the establishment of a sod or other material to hold the earth and prevent dust and the establishment of noxious weeds. The landscaping shall be maintained and all trees, shrubs, bushes and plants shall be appropriately trimmed. The proprietor shall properly maintain all outdoor fixtures, including light poles, on all areas of the shopping center or commercial building premises, by keeping them in working order, painted, and free from rust.

(1) Definition of "shopping center": A "shopping center" shall mean one or more commercial buildings, whether or not under common ownership, which are operated as an entity or in cooperation with one another and which have common parking facilities.

(2) Definition of "proprietor": A "proprietor" shall mean every owner, lessee, tenant, or other person having the right to possession of all or a portion of a shopping center or commercial building. Where there is more than one such person, all shall be jointly and severally obligated by the terms of this sub-section.

(3) The owner, and if possible, the occupant of any property upon which any of the causes of blight or blighting factors as set forth in this sub-section H is found to exist, may be notified by the Township

Supervisor in writing ("Removal Notice") to remove or eliminate such cause of blight or blighting factors from such property within ten (10) days after service of the removal notice. Such removal notice may be served personally or by registered mail, return receipt requested. If efforts to serve the occupant and owner are unsuccessful, it shall be deemed sufficient notice if the written removal notice is mailed by regular mail to the occupant and the owner, if possible, and is posted in a conspicuous location on the property in question. Once the removal notice have been given, it shall be deemed sufficient notice for as long as the causes of blight or blighting factors described in the removal notice remain uncorrected.

(4) If the Township Supervisor, or his/her designee, determines that the blight or blighting factors have not be removed after service of the ten-day notice as set forth in sub-section (H)(3) of this section, the cause of the blight or blighting factors may be removed by the Township upon the direction of the Township Supervisor, or his/her designee. All of the attendant costs of removal of such blight shall be billed to the property owner, plus an administrative service charge of \$100.00 per violation. The Township Supervisor or his/her designee may enter upon such lands as often as necessary to remove the blighted or blighting factors and shall not be liable in any action for trespass. The Township shall have a lien against such lands for any expenses incurred, which lien shall be placed upon the special tax roll next in course of

preparation as a charge against the property upon which such expense was incurred; and the same shall become a lien upon the land and shall be assessed and collected in the same manner as all other special assessments of the Township are assessed and collected; and the same, when collected, shall be paid into the general fund to reimburse the expenses therefrom. The penalties and remedies herein are in addition to those set forth in Section 4 of Ordinance 13-1, as amended.

(5) This amendment shall be effective upon publication following adoption by the Hampton Charter Township Board of Trustees.