

**MANSFIELD TOWNSHIP
JUNK AND BLIGHTED STRUCTURES ORDINANCE
#101-2023**

THE TOWNSHIP OF MANSFIELD, IRON COUNTY, MICHIGAN, ORDAINS:

AN ORDINANCE TO PROVIDE FOR THE REGULATION AND CONTROL OF THE STORAGE, ACCUMULATION AND DISPOSITION OF JUNK, TRASH, RUBBISH, ABANDONED VEHICLES, WRECKED, DISMANTLED OR UNUSABLE VEHICLES, BLIGHTED STRUCTURES AND BUILDING MATERIALS; TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

- SECTION 1: DEFINITION
- SECTION 2: DETRIMENT
- SECTION 3: JUNK, TRASH, RUBBISH, JUNK CARS, ETC.
- SECTION 4: BLIGHTED BUILDINGS
- SECTION 5: BUILDING MATERIALS
- SECTION 6: AUTHORITY
- SECTION 7: NOTICE FOR VIOLATIONS
- SECTION 8: APPEALS
- SECTION 9: FAILURE TO COMPLY
- SECTION 10: SERVICEABILITY
- SECTION 11: SPECIAL EXEMPTIONS
- SECTION 12: EFFECTIVE DATE

Date adopted:

At a regular meeting of the Mansfield Township Board held on January 18, 2023, the Board, by a Roll Call Vote, approved the creation of the “Mansfield Township Junk and Blighted Structures Ordinance.” This Ordinance shall take effect on the date of its publication in the Daily News. A copy of the complete ordinance is available for inspection via the Mansfield Township Clerk, John Leutz, and can be found on the Mansfield Township website.

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SECTION 1: DEFINITIONS

The following words or terms when used herein shall be deemed to have the meanings set forth below:

- A. The term “junk” shall include, without limitation, parts of machinery or motor vehicles, broken and unusable furniture, stoves, refrigerators or other appliances, remnants of wood, metal or any other cast-off material of any kind, that could not be put to any reasonable use.
- B. The term “junk motor vehicles” shall include, without limitation, any vehicle which is not licensed for use upon the highways of the State of Michigan for a period in excess of 60 days. This shall also include, whether licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of 60 days, provided that there is excepted from this definition unlicensed, but operative vehicles which are kept as the stock in trade of a regularly licensed and established new or used automobile dealer or other motorized vehicle. Further, providing that the time limit such vehicles may remain upon the premises of a motor vehicle repair garage shall be a period of 120 days rather than 60 days, with extension of additional 30-day periods upon presentation to the enforcing officer of written proof the offending vehicle is involved in insurance claims litigation or a similar matter and additional time is required for settlement before a vehicle can be moved. Exception is made for operable vehicles, whether licensed or not, periodically used on the owner’s property for personal use.
- C. The term “abandoned vehicle” shall include, without limitation, any vehicle which has remained on private property for a period of 48 continuous hours or more without the consent of the owner or occupant, or when such consent has been revoked.
- D. The term “blighted structure” shall include, without limitation, any dwelling, garage, or outbuilding or any factory, shop, store, office building, warehouse or any other 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, nor useful for the purpose for which it may have been intended.
- E. The term “building materials” shall include, without limitations, lumber, brick, 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 constructing any structure.
- F. The term “person” shall include all natural persons, firms, co-partnerships, corporations, and all associations of natural person, incorporated or unincorporated, whether acting by themselves or by a servant, agent, or employee. All persons who violate any of the provisions of this ordinance, whether as owner, occupant, lessee, agent, servant, or employee shall, except as herein otherwise provided, be equally liable as principals.

- G. The term “trash” and “rubbish” shall include any and all forms of debris not herein otherwise classified.
- H. The term “dangerous Building” means any building or structure which has any of the following defects: (1) features which do not conform to the Fire Code of Iron County; (2) any building so damaged by fire, wind, flood, or other cause that its stability is less than the minimum requirements of the Iron County building code; (3) any building of which a portion or appurtenance threatens to fall, become detached or collapse; (4) any building a portion of which has settled such that walls or other structural parts present less wind resistance and structural integrity than that required for new construction under the Iron County Building Code; (5) any building so deteriorated, dilapidated, decayed, or unstable because of movement or removal of some part of it that it is likely to collapse or a portion of the foundation is likely to fall; (6) any building intended for habitation that is unsanitary or unfit or is likely to cause sickness or disease as determined by the Iron County Health Department; (7) Any building left vacant and open at the doors or windows, leaving the interior exposed to the elements or accessible to trespassers; (8) any building so damaged or dilapidated as to become an attractive nuisance to children who might venture therein to their danger, or afford a harbor for vagrants and criminals or a haven for persons committing a nuisance or illegal acts; (9) any building which for whatever reason is in whole or in part unsafe.
- I. The term “enforcing agency” means the Mansfield Township Supervisor and Enforcement Officer

SECTION 2: DETRIMENT

It is hereby determined that the storage or accumulation of trash, rubbish, junk, junk vehicles, abandoned vehicles, building materials and the maintenance of blighted structures upon any private property within Mansfield Township tends to result in blighted and deteriorated neighborhoods, the spread of vermin and disease, the increase in criminal activity and, therefore, is contrary to the public peace, health, safety and general welfare of the community.

SECTION 3: JUNK, TRASH, RUBBISH, JUNK CARS, ETC.

It shall be unlawful for any person to store, or to permit the storage or accumulation of trash, rubbish, junk, junk vehicles or abandoned vehicles on any private property in the Township of Mansfield except within a completely enclosed building or upon the premises of a properly zoned, licensed or approved junk dealer, junk buyer, dealer in used auto parts, dealer in secondhand goods or junk.

SECTION 4: BLIGHTED BUILDINGS

It shall be unlawful for any person to keep or maintain any vacant structure, dwelling, garage, outbuilding, factory, shop, store, or warehouse unless the same is kept securely locked, the windows kept glazed or neatly boarded up and otherwise protected to prevent entrance

thereto by unauthorized persons or unless such structure is in the course of construction in accordance with a valid building permit issued by the Iron County and unless such construction is completed within a reasonable time.

SECTION 5: BUILDING MATERIALS

It shall be unlawful for any person to store or permit the storage or accumulation of building materials on any private property, except in a completely enclosed building or except where such building materials are part of the stock in trade or business located on said property, or except when such materials are being used in the construction of a structure on the property in accordance with a valid building permit issued by the Iron County and unless such construction is completed within a reasonable time.

SECTION 6: AUTHORITY

The Mansfield Township Board provides authority to the Township Supervisor or Enforcement Officer to remove or cause to be removed any junk vehicles or abandoned vehicles, or parts of either, from any unenclosed private property after having notified the owner or occupant of such property, in writing, at least 48 hours prior to such removal. Such notice shall be served personally upon the owner or occupant of such property, if occupied, or may be posted in a conspicuous place upon the vacant or unoccupied property. Such notice may also be served through certified mail. Such junk vehicles or abandoned vehicles, or parts of either, shall be removed and disposed of in accordance with the law. Such removal by the designated enforcement official shall not excuse or relieve any person of the obligation imposed by this to keep his property free from storage or accumulation of junk vehicles, or parts of either nor from the penalties for violation thereof. Expenses for removal incurred by Mansfield Township shall be the responsibility of the owner and can be added to the property tax bill.

SECTION 7: NOTICE FOR VIOLATIONS

- A. Notwithstanding any other provision of this act, when a determination of blight is found to be in violation of this ordinance, the enforcing agency shall issue a notice of the violation.
- B. Such notice shall be in writing and shall be served upon the person to whom they are directed personally, or, in lieu of personal service, shall be mailed by certified mail, return receipt requested, and addressed to such owner or party in interest at the address shown on the tax records. If any person to whom a notice is directed is not personally served, in addition to mailing the notice, a copy thereof shall be posted upon a conspicuous place on the property. Said notice shall include the amount of the fine and potential additional costs incurred by Mansfield Township. A copy of said notice will also be delivered to the Mansfield Township Planning Commission.
- C. The owner or party of interest in the notice of violation may request a hearing before the Mansfield Township Violation Board. The request for hearing must be submitted in

writing to the Mansfield Township Supervisor, whose address may be found on the Mansfield Township website (mansfieldtownship.org).

- D. The Mansfield Township Supervisor shall provide the hearing requestor a written notice which will specify the time and place of a hearing at which time the person to whom the notice is directed shall have the opportunity to show cause why the violation should not be ordered.
- E. The hearing shall be held before the Mansfield Township Violation Board. The enforcing agency shall file a copy of the notice of violation with the Mansfield Township Board. The owner or party of interest shall be notified in writing by the Mansfield Township Board of the final decision.
- F. The owner or party in interest whose name the property appears upon the last Township tax assessment records shall be notified of the amount of such cost by first class mail at the address shown on the records. If he fails to pay the same within 30 days after the mailing by the assessor of the notice of the amount thereof, the Supervisor shall add the same to the next tax roll of the Township and the same shall be collected in the same manner, in all respects, as provided by the law for the collection of taxes by the Township according to the provisions of Mansfield Township Board.

SECTION 8: APPEALS

An owner aggrieved by any final decision or order of the Township Board under Section 7 may appeal the decision or order to the Circuit Court by filing a petition for an order of Superintending control within 20 days from the date of the decision.

SECTION 9: FAILURE TO COMPLY

Any violation of, or any failure to comply with the provisions of this Ordinance shall be deemed a misdemeanor and shall be punishable by a fine not to exceed \$500 or by imprisonment not to exceed 30 days, or both. Each day that a violation of the Ordinance is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this Section provided no person shall be imprisoned for a single but continuing violation of this Ordinance for a period of longer than 30 days.

SECTION 10: SERVICEABILITY

Should any section, clause or provision of this Ordinance be declared by any court to be invalid the same shall not affect the validity of remaining portions of such section of this Ordinance or any part thereof other than the part so declared to be invalid.

SECTION 11: SPECIAL EXEMPTIONS

Special hardship cases or special exemptions to the provisions of this ordinance may be granted by the Mansfield Township Board upon application thereto. Said exemption shall only be granted when, in the judgement of the Board, special peculiar circumstances exist creating a hardship case and then only where no property owner is adversely affected thereby and whence the spirit and purpose of the Ordinance is still observed.

SECTION 12: EFFECTIVE DATE

This Ordinance shall take effect _____, 2023, upon publication in the Daily News. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.