

BRILEY TOWNSHIP BLIGHT ELIMINATION ORDINANCE

AN ORDINANCE TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS OR CAUSES OF BLIGHT WITHIN BRILEY TOWNSHIP, MONTMORENCY COUNTY, MICHIGAN; TO PROVIDE FOR THE ENFORCEMENT HEREOF; AND TO PROVIDE PENALTIES FOR THE VIOLATION, HEREOF; PURSUANT TO THE INACTING AUTHORITY THEREFOR PROVIDED BY ACT 344 OF THE PUBLIC ACTS OF 1945, AS AMENDED.

THE TOWNSHIP OF BRILEY, MONTMORENCY COUNTY ORDAINS:

SECTION 1: PURPOSE

Consistent with Act No. 344 of the Public Acts of 1945, as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in Briley Township by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may be in the future exist in said Township.

SECTION 2: CAUSES OF BLIGHT AND 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 Briley Township, owned, leased, rented or occupied by such person, firm or corporation.

- A. In any area zoned for R-1 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. This shall not include motor vehicles, which are under a state of repair. Time limit for completion of motor vehicle repairs is ninety, (90) days from date of first contact.
- B. In any area, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed fifteen days. The term "junk" shall include parts of machinery or motor vehicles, unused appliances stored in the open, remnants of woods, metals or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.
- C. In any area, the existence of any structure or part of any structure that, 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.
- D. In any area, the existence of any vacant dwelling, garage or other outbuilding 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.
- E. 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 County of Montmorency, and unless such construction is completed within the one year time limit or unless an extension is obtained from the Building Inspector.

SECTION 3

ENFORCEMENT OF PENALTIES

- A. Such persons who shall be so designated by the Briley Township Board shall enforce this Blight Ordinance.**
- 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 person or writing with full documentation in the file, 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 personally or be certified mail, return receipt requested. Additional time may be granted by the enforcement officer where a bonafide effort to remove or eliminate such causes of blight or blighting factors are in progress.**
- C. Failure to comply with such notice within the time allowed by the owner/ and or occupant shall constitute a violation of this ordinance.**

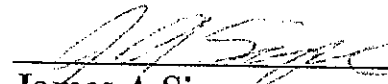
BRILEY TOWNSHP BLIGHT ELIMINATION ORDINANCE
#02-07-26-96 AMENDED MAY 19TH, 2010

Any person or other entity that violates any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by Michigan Law and subject to a civil fine determined in accordance with the following schedule:

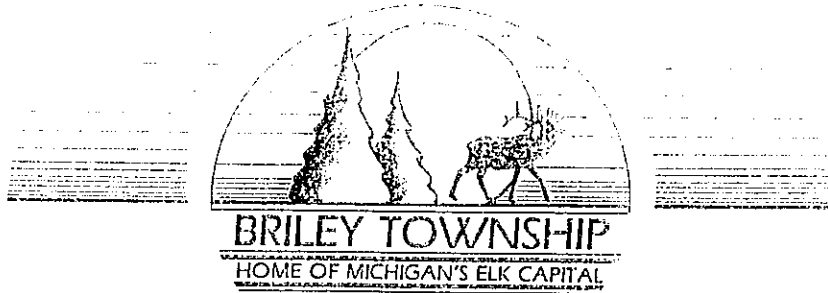
	MINIMUM	MAXIMUM
1 st violation within three-year period	\$ 50.00	\$ 500.00
2 nd violation within three-year period	\$ 100.00	\$ 500.00
3 rd violation within three-year period	\$ 300.00	\$ 500.00

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which Briley Township has been put in connection with the violation. In no case, however, shall costs of less than \$ 50.00 or more than \$ 500.00 be ordered. A violator of this Ordinance shall also be subject to such additional sanctions, remedies and judicial orders as authorized under Michigan Law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

AMENDED: 03/07/96: EFFECTIVE 05/24/96
AMENDED: 04/19/10: EFFECTIVE 05/19/10



James A Sipe
Briley Township Clerk



BRILEY TOWNSHIP DANGEROUS BUILDING ORDINANCE

*ADOPTED/REVISED: 06/03/93
07/16/93
07/12/99*

An ordinance to promote the health and welfare of the people of Briley Township, Montmorency County, Michigan by regulating the maintenance and safety of certain buildings and structures; to define the classes of buildings and structures; to define the classes of buildings and structures affected by the ordinance; to establish administrative requirements and prescribe procedures for the maintenance or demolition of certain buildings and structures; to establish remedies provide for enforcement and fix penalties for the violation of this ordinance; and to repeal all ordinances or parts of ordinances in conflict therewith.

The Township of Briley, Montmorency County, Michigan ordains:

SECTION I TITLE: This ordinance shall be known as the Briley Township Dangerous Buildings Ordinance.

SECTION II. DEFINITIONS OF TERMS: As used in this ordinance, including in this section the following words and terms shall have the meanings stated herein:

A. "Dangerous building" means any building or structure, residential or otherwise, that has one or more of the following defects or is in one or more of the following conditions:

1. A door, aisle, passageways, stairway or other means of exit does not conform to the County Building Code.
2. A portion of the building or structure is damaged by fire, wind, flood or other cause so that the structural strength or stability of the building or structure is appreciably less than it was before the catastrophe and he does not meet the minimum requirements of the Housing Law of the State of Michigan, Act No 167 of the Public Acts of 1917, as amended, being section 125.401 et seq. Of the Michigan Compiled Laws, or the Township Building Code for a new building structure purpose or location.
3. A part of the building or structure is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.

4. A portion of the building or structure has settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to wind than is required in the case of new construction by the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Section 125.40 et seq. Of the Michigan Compiled Laws.

5. The building structure or a part of the building structure, because of dilapidation, deterioration, decay, faulty construction or the removal or movement of some portion of the ground necessary for the support or for other reasons, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.

6. The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used.

7. The building or structure is damaged by fire, wind or flood, or is dilapidated or deteriorated and has become an attractive nuisance to children who might play in the building or structure to their danger, or become a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful or immoral act.

8. A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the health officer of the township or county determines is likely to cause sickness or disease, or is likely to injure the health safety or general welfare of people living in the dwelling.

9. A building or structure is vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

C. " County Building Code" means the building code administered and enforced in the Township pursuant to the State Construction Code Commission Act, Act No. 230 of the Public Acts of 1972, as amended, being section 125.1501 et seq. of the Michigan Compiled Laws.

SECTION III. PROHIBITION OF DANGEROUS BUILDINGS: It shall be unlawful for any owner or agent thereof to keep or maintain any building or part thereof which is a dangerous building as defined in this ordinance.

SECTION IV. NOTICE OF DANGEROUS BUILDING;

A. **NOTICE REQUIREMENT** Notwithstanding any other provision of this ordinance, if a building or structure is determined by the enforcement officer to be a dangerous building, the enforcing officer shall issue notice that the building or structure is a dangerous building.

B. **PARTIES ENTITLED TO NOTICE.** The notice shall be served on each owner of or

party in interest in the building or structure in whose name the property appears on the past local tax assessment records of the township and any occupant of the property.

C. The notice shall specify the dangerous conditions alleged to exist and further specify the action necessary to eliminate the condition. The owner/occupant shall be given a minimum of ten(10) days in order to eliminate the dangerous condition. Additional time may be granted by the enforcement officer where bonafide efforts to remove or rectify the condition are in progress.

D. SERVICE OF NOTICE. The notice shall be in writing and shall be served upon the person to whom the notice is directed either personally or by certified mail, return receipt requested. If served upon a person by certified mail, a copy of the notice shall also be posted upon a conspicuous part of the building or structure.

SECTION V. ENFORCEMENT AND PENALTIES

A. This ordinance shall be enforced by such persons who shall be so designated by the Township Board.

B. Failure to comply with such notice within time allowed by the owner and or occupant shall constitute a violation of the Ordinance.

C. Any person or other entity who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by the Michigan Law and subject to a civil fine determined in accordance with the following schedule:

	MINIMUM	MAXIMUM
1st violation within a three-year period	\$ 50.00	\$500.00
2nd violation within a three-year period	\$100.00	\$500.00
3rd violation within a three-year period	\$300.00	\$500.00

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the Township has been put in connection with the violation. In no case, however shall costs of less than \$50.00 or more than \$500.00 be ordered. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as authorized under Michigan Law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

SECTION VI: EFFECTIVE DATE

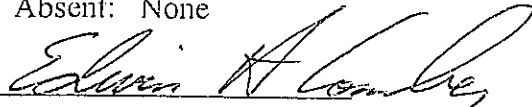
This Ordinance shall become effective 30 days following its publication after adoption as required by law.

The foregoing Ordinance was submitted upon motion by Clerk Comber, second by Treasurer Cheedie. Upon roll call the following voted:

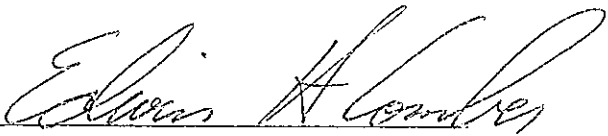
Aye: Supervisor Edwards, Clerk Comber, Treasurer Cheedie, Trustee Wasek, Trustee Gohl

No: None

Absent: None


Edwin H. Comber, Clerk

I hereby certify that the foregoing constitutes a true copy of an Ordinance duly adopted by the Township Board of the Township of Briley, Montmorency County, Michigan, at a Regular Meeting held on the 12th day of July, 1999, the same was published in the Montmorency County Tribune on July 21st, 1999.
Effective Date August 20, 1999.



Edwin H. Comber,
Briley Township Clerk