

BUTMAN TOWNSHIP PERSONAL PROPERTY

ORDINANCE NO. 33

AS AMENDED June 11, 2015

**AN ORDINANCE ENACTED UNDER THE AUTHORITY OF MCL 41.181 ET SEQ,
HONORABLY INTENDED TO PREVENT, REDUCE OR ELIMINATE ACCUMULATED**

- (4a) BLIGHT
BLIGHTING FACTORS, OR
CAUSES OF BLIGHT WITHIN THE TOWNSHIP**
- (4b) BUILDING MATERIALS**
- (4c) FARM EQUIPMENT**
- (4d) FIREWOOD**
- (4e) JUNK OR TRASH**
- (4f) DISMANTLED/JUNK CARS/TRAILERS**
- (4g) SPECIAL EQUIPMENT**

**PROVIDE FOR ENFORCEMENT HEREOF; AND PROVIDE PENALTIES FOR THE
VIOLATION OF SAID ORDINANCE, IN AND FOR THE TOWNSHIP OF BUTMAN,
COUNTY OF GLADWIN, MICHIGAN, ORDAINS:**

SECTION 1. PURPOSE

The purpose of this Ordinance is to limit and restrict the outdoor storage, parking or unreasonable accumulation of junk, unused, partially dismantled or non-operating vehicle(s), trailers, or new or used parts therefore upon premises primarily used or zoned for any type of residential purpose with the Township; to thereby void injury and hazards to children and others attracted to such vehicles or trailers, the devaluation of property values and psychological ill effect of the presence of such blighted structures, vehicles, trailers upon adjoining residents and property owners.

SECTION 2. INTENT

(2a) It is the intent of this Ordinance to establish guidelines and standards concerning the storage of items, that if not regulated, would have a potential effect to devalue property, and/or negative effects on the health and welfare of the community.

(2b) It is NOT the intent to interfere with normal and good practice of farm operations, farm lands or forest lands, and does not apply to motor driven vehicles unlicensed but used entirely for off-highway work on land zoned agricultural. Further, it does not discourage the keeping and/or restoration of vehicles having antique or classic value and other vehicles stored temporarily that are not in junk or salvage condition.

(2c) Nothing in this Ordinance shall be construed to abrogate, affect, or supersede any applicable state law or county ordinances, regulations, or authority. It is the purpose of this Ordinance to supplement state laws and to regulate the storage and accumulation of junk in the absence of regulation by state law or ordinances

SECTION 3. UNLAWFUL TO CAUSE:

(3a) No person, owning or occupying property, within the Township shall

(3.1) maintain any blighted structure on said property, except upon the premises defined by the County Building Inspector as unusable and the structure in accordance with the State Building Code, and are no longer habitable as a dwelling or useful for any other purpose for which it may have been intended.

(3.2) Accumulate dismantled cars and/or trailers; junk or trash; firewood as defined in Section 4: (Definitions and Prohibited Standards) and to provide penalties for the violation as set forth.

SECTION 4. DEFINITIONS and PROHIBITED STANDARDS:

4a) BLIGHT

Includes without limitation, any dwelling, garage or out-building, warehouse, or any other structure of part of a structure which because of fire, wind, or other natural disaster, physical deterioration, demolition or partial demolition as a dwelling, nor useful for the purpose for which it may have been intended, or has uncovered openings which may provide unrestrained access to enter the structure.

An incomplete building structure in the course of construction will be governed by the valid existing building permit.

(4b) BUILDING MATERIALS

The storage of any/all building materials upon any property shall be prohibited beyond FIVE (5) DAYS unless there is in force, a valid building permit issued by the County for construction upon the property and the materials are intended for use in connection with such construction. Landscape materials may be present on the property, not to exceed SEVEN (7) DAYS.

The exception to 4b, will be zoned and/or licensed contractors.

(4c) FARM EQUIPMENT

Farming, as defined under Agricultural Real Property status within Butman Township houses necessary equipment in order to complete this task. The Township, under this Ordinance, requests that this necessary equipment is housed neatly on the farm property, or if Junk, it is not visible from a road or from adjacent parcels and otherwise housed in an enclosed building.

(4d) FIREWOOD

Storage of Firewood: *In addition, wood or wood products intended to be used as property owner's personal firewood in a residence or an accessory structure, or any firewood products to be distributed otherwise, provided any/all wood products are stacked neatly adjacent to the residence or other buildings therein*

(4e) JUNK OR TRASH

The terms of "junk" and "Trash" are used synonymously and each as herein used, shall include without limitation, the following:

Used articles or used pieces of: iron, scrap metal,, automobile bodies or parts of machinery, or junked or discarded machinery, furniture, appliances, used lumber which may be used as a harborage for rats, ashes, garbage, or industrial by-products or waste empty cans, food containers, bottles, crockery, utensils of any kinds, boxes, barrels and all other articles. Further defined, Abandoned Possessions such as an ice box, refrigerator, freezer (in accordance with MC750.93d), or any other abandoned personal belongings shall also be deemed junk and removed accordingly.

It shall be unlawful for any person to accumulate, place, or allow or permit the accumulation or placing of trash or junk on any premises in said township, except in a sanitary landfill licensed by the State of Michigan, in a junk yard duly licensed by the Township, or in receptacles for not longer than twenty (20) days while awaiting lawful Disposal

(4f) DISMANTLED/JUNK CARS/TRAILERS

Includes, but not limited to, automobiles, trailers, ORV's, motor bikes, mopeds, and/or any other vehicle propelled by an engine, battery or other type of energy force that is applied manually or automatically, in disrepair.

"Trailers" as used in this Ordinance means a vehicle including trailer, house, car, or any vehicle or structure mounted on wheels or capable of being propelled from place to place, either by its own power or

power supplied by some vehicle attaché or to be attached thereto, and being used for transporting boats, equipment, furniture, vehicles or any other products or devices, including living or sleeping quarters in disrepair or not in normal use for a period of one (1) year.

(4g) SPECIAL EQUIPMENT

The parking and/or storage of special mobile equipment such as farm tractors, mobile tool shed trailers, ditch-digging apparatus, well-boring and well-servicing equipment, crane located on public right away, except when said equipment is under a permit, and is being used for an ongoing municipal or a private project.

SECTION 5. PUBLIC COMPLAINTS

(5a) Complaints All complaints from the public regarding alleged violations of this entire Ordinance must be completed on the prescribed COMPLAINT FORM , signed and submitted in writing to the Butman Township Enforcement Officer who will investigate and take action as provided for with this Ordinance. *The Complainant may request anonymity and remain unidentified during this process.*

The Enforcement Officer is not delegated to go on “witch hunts” and will only investigate and take action on written complaints

SECTION 6. VIOLATION; ENFORCEMENT & CIVIL ACTION

(6a) ENFORCEMENT OFFICER:

Ordinance Enforcement Officer shall herein be defined as the Township Supervisor or his/her representative

(6b) VIOLATION

Any Violation of or any failure to comply with the provisions of this Ordinance shall be deemed a misdemeanor and may commence an action in the circuit court for Gladwin County for an injunction, or other appropriate remedy, to prevent, enjoin, abate, correct and be in compliance with this Ordinance.

(6c) CIVIL ACTION.

A violation of all or any part of this Ordinance may be punishable by a fine not to exceed Five Hundred Dollars (\$500.00) and/or Ninety (90) Days in jail. Each day that a violation of this Ordinance is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this Section.

Section 7. SEVERABILITY

Should any Section, clause or provision of this Ordinance be declared by the courts to be invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part declared to be invalid.

SECTION 8. REPEAL

This Ordinance specifically repeals Junk Ordinance No. 19, as amended, Blight Ordinance No. 20, Inoperable Vehicles Ordinance No 21 and Dismantle/Junk Automobile Ordinance No. 25

Section 8. EFFECTIVE DATE

This Amendment, with changes defined herein, shall become effective 30 Days from the Date of Publication in a newspaper in general circulation within the Township of Butman.

6-11-15

(Date)

Shirley Kyle

Shirley Kyle, Township Supervisor

Ordinance adopted by the Butman Township Board of Trustees at the Board Meeting held June 11, 2015.

CERTIFICATION: Sharon Hobin
Sharon Hobin, Butman Township Clerk

6-11-15
(Date)

(Posted in Gladwin Record June 17, 2015.

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