

**VILLAGE OF AUGUSTA, MICHIGAN
ORDINANCE NO. 181
ANTI-BLIGHT**

An ordinance to secure the public health, safety and welfare of the residents and property owners of the Village of Augusta, Kalamazoo County, Michigan, by the regulating, preventing, reducing or eliminating of blight, blighting factors or causes of blight within said Village; to provide criminal penalties and civil remedies for the violation thereof; and to preserve any ordinance or parts thereof which pertain to the same subject matter.

**THE VILLAGE OF AUGUSTA
KALAMAZOO COUNTY, MICHIGAN,
ORDAINS:**

SECTION I
TITLE

This ordinance shall be known and may be cited as the Village of Augusta Anti-Blight Ordinance.

SECTION II
PURPOSE

The purpose of this ordinance is to promote and preserve the general health, safety and welfare of the residents and property owners of the Village of Augusta by regulating and preventing, reducing or eliminating blight or potential blight in the Village through the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the Village.

SECTION III
DEFINITIONS

For the purpose of enforcing the provisions of this ordinance, certain terms and words used herein shall have the following meaning:

- a. "Building materials" shall mean lumber, bricks, concrete, 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.
- b. "Junk, trash, rubbish, or refuse of any kind" shall mean unmotorized vehicles or conveyances not usable for the purposes for which they were manufactured, or parts or components thereof, or scrap or waste metal, iron, steel, copper, brass, zinc, tin, lead, rope, rubber, rags, clothing, wood, plastic, paper, glass or garbage, or appliances, televisions or furniture, or mobile homes not meeting

the minimum standards for inhabitation by humans, or trailers or watercraft not useable for the purposes for which they were manufactured, or concrete, brick or other materials from demolished structures, or any other scrap or waste material of any kind, including parts of any of the above. "Junk, trash, rubbish, or refuse of any kind" shall also include domestic refuse stored in excess of fourteen (14) days in such a manner as to become offensive by reason of odors, insects, rodents, pollution, litter, inadequate or improperly covered containers for the same, the lack of such containers, or the improper depositing of such material into or around such containers, or in such a manner as to otherwise create a nuisance.

SECTION IV PROHIBITION OF CAUSES OF BLIGHT OR BLIGHTING FACTORS

On and after the effective date of this ordinance, no person, firm, corporation or entity of any kind shall maintain or allow to be maintained upon any property in the Village of Augusta owned, leased, rented or occupied or possessed by such person, firm, corporation or entity any of the following uses or activities which are hereby determined to be causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods and threaten the public health, safety and welfare:

- a. The storage or accumulation of "building materials" outside of a completely enclosed building in any area for a period in excess of fourteen (14) days (except building materials used for a legally operated business, and building materials stored on the site of property for which a valid building permit has been issued by the appropriate Village building official and where said materials are intended for use in connection with such construction).
- b. The storage or accumulation of "junk, trash, rubbish or refuse of any kind" outside of a completely enclosed building in any area for a period in excess of fourteen (14) days (except on property which a valid junk-salvage yard permit issued by the Village is in effect).

Notwithstanding any of the foregoing this Ordinance shall not apply to a use or activity which is licensed or allowed by, and conducted pursuant to, the Solid Waste Management Act, being 1978 Public Act 641, as amended.

SECTION V PENALTIES AND ENFORCEMENT

Violation of this ordinance shall be a civil infraction punishable upon conviction by fine of not to exceed \$500 (five hundred dollars). Each day that a violation exists shall constitute a separate offense. Such penalty provisions shall not preclude any civil action against a violator for injunctive or other relief.

This ordinance shall be enforced by such person or persons as may be designated by the Augusta Village Board.

SECTION VI
VALIDITY

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such holding shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION VII
SIMILAR REGULATIONS

This ordinance shall not be construed to repeal by implication any other ordinances of the Village of Augusta pertaining to the same subject matter.

SECTION VIII
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IX
EFFECTIVE DATE

This Ordinance shall take effect upon the date of its publication, which shall be within 15 days after its adoption.

James P. Schultz
Village President

Kaye McAlear
Village Clerk