

**VILLAGE OF WOLVERINE  
VILLAGE ORDINANCES**

**ARTICLE 20**

**BLIGHTED EXTERIOR PROPERTY, STRUCTURES OR BUILDINGS**

An ordinance to eliminate blighted conditions within the Village of Wolverine.

**THE VILLAGE OF WOLVERINE, CHEBOYGAN COUNTY, MICHIGAN ORDAINS:**

**Section (A) Definitions.** For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BLIGHTED STRUCTURE OR BUILDING.** Any dwelling, garage, accessory or outbuilding, or any factory, shop, store, office building, warehouse, or any other structure or part of a structure which:

- (a) Because of fire, wind, other natural disaster, or physical deterioration, is no longer habitable as a dwelling or useful for the purpose for which it was originally intended; or
- (b) Is partially completed and which is not presently being constructed under an existing, valid building permit issued by or under the authority of the village or county; or
- (c) Is not structurally sound, weather-tight, waterproof or vermin-proof; or other waterproof covering so as to protect said structure from the adverse effects of the elements or from physical deterioration; or

**(d) Which causes or tends to cause devaluation of the subject property or other adjacent or nearby properties in the area due to neglect.**

**BUILDING MATERIAL.** Any lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, cement, nails, screws, or other materials commonly used in the construction or repair of any buildings or structures.

**ENFORCEMENT OFFICER.** An officer appointed by and acting under the authority of the village council, and by any other officer designated by the village council.

**GARISH.** Any structure which, because of painting method (i.e. haphazard multicolor), is determined by the enforcement officer to be devaluing of subject property or other adjacent or nearby properties in the area.

**GOODS.** Any goods, warehouse merchandise or other property capable of being the object of a sale regulated under this chapter.

**JUNK/REFUSE.** Any abandoned discarded, unusual objects or equipment, any object or equipment unused for its originally intended purpose, including, but not limited to, furniture, stoves, refrigerators, freezers, cans, implements, parts of motor vehicles, machinery, cloth, rubber, bottles, and metals, boxes, cartons, or crates.

**PERSON.** Shall include all natural persons, firms, co-partnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee. All persons who violate any of the

provisions of this chapter, whether as owner, occupant, lessee, agent, operator, servant, or employee shall, except as herein otherwise provided, be equally liable as principals.

**TRASH and RUBBISH.** Any and all forms of debris not herein otherwise classified.

**Section (B) Blighted structures or buildings prohibited.** It shall be unlawful for any person to keep or maintain garish exterior upon any vacant structure, building, dwelling, garage, or outbuilding, factory shop, store, or warehouse as described in division (A) of this section or which displays three or more of the following conditions:

- (1) Deteriorating roof; and/or**
- (2) Siding off and/or damaged; and/or**
- (3) Broken and/or deteriorating windows; and/or**
- (4) Unfinished exterior; and/or**
- (5) Collapsing porch or deck; and/or**
- (6) Scaffolding unless associated with current building permit; and/or**
- (7) Cracked and broken foundations/chimneys which constitute a structural health or hazard unless such structure is in the course of construction in accordance with a valid building permit issued by the village and unless such construction is completed within a reasonable time; and/or**
- (8) Is partially completed and which is not presently being constructed under an existing, valid building permit issued by or under the authority of the village.**

Section (C) Blighted exterior and maintenance requirement of property. Every owner and operator shall improve and maintain all property under its control to comply with the following minimum requirements:

- (1) All exterior property areas shall be properly maintained in a clean orderly and sanitary condition, free from trash, garbage, junk and tall grass.
- (2) All stored firewood shall be in neat, orderly stack;
- (3) The storage and accumulation of junk herein defined is permitted only for the purpose of collection and disposal and only in a closed container or in a closed structure. Storage and accumulation shall be only for 14 days to provide for collection and disposal of same.
- (4) The storage and accumulation of any building material shall only be for a period that is reasonably necessary for the immediate use of such materials, but in no event longer than 60 days, unless a building permit has been issued.
- (5) All exterior commercial property areas shall be screened from view by the general public. Items displayed in commercial zones must be properly stored outside of business hours.

Section (D) Cutting of grass and weeds.

- (1) All persons whether as owner of property or occupant of a residence within the Village shall be required to cut their grass, or weeds on their property before it reaches a height of six (6) inches on average, including any grass or weeds within view from the curb.



**(2) Enforcement-** the Village Council shall appoint an agent to serve as an inspector to make a judgement as to whether or not the land/home owner is in violation of section D1. above. This agent of the village shall periodically inspect village residential and commercial properties for compliance with section D1. of this ordinance. If a violation is found to exist, the property owner and the occupant, if other than the owner, shall be served with a notice of violation in accordance with section E2 of this ordinance, requesting corrective action within ten (10) days. If the violation is not corrected within the time frame specified in the violation notice, a civil infraction notice of violation may be issued to the owner of said property assessing a minimum fine of \$100.00 for the violation. The fine shall be paid to the Village of Wolverine, P.O. Box 247 Wolverine, MI 49799. Each day that an infraction continues shall constitute a separate violation. The above penalty of \$100.00 shall be in addition to the other rights of the Village of Wolverine and proceed at law or equity with other appropriate and proper remedies.

**(3) Lien on Property-** If a person residing within the Village of Wolverine upon which noxious weeds, and tall grass are growing, agents of the Village of Wolverine, duly appointed by the resolution of the Village Council, may enter upon such lands, after ten (10) days written notice to the owner, and cut the grass and the noxious weeds by cutting the same. The Village of Wolverine shall have a lien on the lands upon which the grass or vegetation was cut for the expenses of the cutting established by Village resolution at the rate of

\$45.00 per manhour. Lien shall be enforced in the manner provided for in the laws of the State of Michigan for the enforcement of tax liens.

Section (E) Enforcement of Ordinance (Excepting enforcement policy for tall grass and weeds outlined in section D2 and D3 of this ordinance)

- (1) This ordinance shall be enforced by an Ordinance enforcement Officer appointed by, and acting under, authority of the Village Council, or by the Village President acting on behalf of the Village Council.
- (2) 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 3 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within 30 days after service of the notice upon such owner or occupant. Such notice may be served personally or certified by mail, return receipt requested. Additional time may be granted by the Village Ordinance Enforcement Officer where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- (3) If the owner or occupant fails to comply with the notice to eliminate the blight within the times set forth in subparagraph above the Village Ordinance Enforcement Officer may issue a citation for violation for this Ordinance.

Section (F) Penalties

- (1) A violation of this Ordinance shall be a civil infraction which shall be punishable by a fine not exceeding \$100.00 for a second, together with the

costs of enforcement of this ordinance including, but not limited to collection of actual attorney fees and court costs. Each day that the infraction shall continue to exist shall be considered a separate violation.

- (2) The issuance of a citation for a municipal civil infraction shall not in any other manner, including, but not limited to, an action for abate any nuisance created by a violation of this Ordinance and to recover any costs expenses, damages, and fees, including actual attorney fees, in connection with such abatement and the enforcement of this Ordinance.

#### Section (G) Effective Date

- (1) Amendment to the Village Ordinance, article 20. This amended ordinance shall become effective thirty (30) days after its publication as required by law and repeals all ordinances or parts of ordinances in conflict therein.
- (2) This Ordinance was adopted by the Village Council for the Village of Wolverine, Cheboygan County, Michigan, at a regular meeting thereof held on March 8, 2021.

CERTIFICATION

We, the undersigned Village President and Clerk of Village of Wolverine do certify that the foregoing amendment to *the Village Of Wolverine Blight Elimination Ordinance #20* was duly adopted and passed by resolution of the Village Council for the Village of Wolverine at a regular meeting thereof, held on the March 8, 2021.



Village of Wolverine President



Village of Wolverine Clerk