

VILLAGE OF OTTER LAKE
BLIGHT/NUISANCE ORDINANCE
ORDINANCE NUMBER 5.1

An ordinance to protect the public health, safety and general welfare by eliminating nuisances within the Village; to define and prohibit nuisances; to provide for enforcement; to provide penalties for violation hereof; and to repeal prior ordinances.

THE VILLAGE OF OTTER LAKE ORDAINS:

ARTICLE I

Section 1. NUISANCES PROHIBITED. It is hereby determined that the situations defined in Article II constitute nuisances which, if allowed to exist, will result in unsafe, unsanitary, and undesirable neighborhoods. No person shall maintain or permit to be maintained any of the nuisances defined in Article II upon any premises owned, leased, rented, or occupied by such person.

ARTICLE II

Section 2. NUISANCES DEFINED. The storage of any junk automobile, except in a completely enclosed building. The term “junk vehicle” shall include any motor vehicle, which is not currently licensed for use upon the highways or roads. The term “junk vehicle” shall also include any motor vehicle, which has been partially dismantled or otherwise inoperable for period of thirty (30) days.

Section 2.1 The storage of junk in a motor vehicle, whether licensed or unlicensed, for a period in excess of fourteen (14) days.

Section 2.2 The outdoor storage or accumulation of junk, rubbish, or trash of any kind. The term “junk” shall include machinery parts, motor vehicle parts, tin cans, unused appliances, wood or metal remnants, or any other material or cast off items of any kind, which is not completely screened from view from public streets or residential property.

Section 2.3 The storage or accumulation of garbage of any kind, except domestic refuse originating on the premises and stored in a sanitary manner for a period not to exceed fourteen (14) days. The term “garbage” shall include food waste matter and discarded food containers as well as any other household refuse which may attract rodents or other vermin.

Section 2.4 The dumping or land filling of any junk, garbage, or junk motor vehicles. The term “dumping or land filling” shall include burying or otherwise disposing of items on property not licensed as a landfill pursuant to the Michigan Solid Waste Management Act.

Section 2.5 The existence of any vacant dwelling, garage, or other building or remnant thereof, unless the same is kept securely locked, windows kept glazed or neatly boarded up, and otherwise protected to prevent entrance by vandals or injury to persons.

Section 2.6 The existence of any partially completed structure, unless such structure is in the course of construction in accordance with a currently valid building permit issued by the local building inspector.

Section 2.7 The existence on any lot or parcel of land of uncut weeds or grass in excess of twelve (12) inches in height.

Section 2.8 This Ordinance shall not apply to junkyards or salvage yards which are zoned I-Industrial and have been granted approval under the Otter Lake Village Zoning Ordinance.

ARTICLE III

Enforcement and Penalties

Section 3.01 This ordinance shall be enforced by officers designated by the Village Council.

Section 3.02 The occupant and the owner (if different from the occupant) of any property upon which any nuisance as set forth in Article II hereof is found to exist shall be notified in writing to eliminate such nuisance from such property within ten (10) days after notification. The owner of the property, if he does not reside on the property, may be notified by regular mail sent to the address of record on the village tax roll.

Section 3.03 Failure to comply with such notice within the time allowed all constitute a violation of this Ordinance. Each day that there is continued failure to comply shall constitute a separate offense.

Section 3.04 Violation of this Ordinance shall be a misdemeanor, which shall be punishable upon conviction thereof by a fine not to exceed five hundred dollars (\$500.00) and/or by imprisonment not to exceed thirty (30) days.

Section 3.05 If a property owner fails to eliminate a nuisance after notification to eliminate such nuisance, and the Village deems such nuisance to be an imminent threat to the public health and safety, the Village may cause such blight to be eliminated and bill the cost to the responsible party. The cost of such blight elimination, if it is not voluntarily paid for by the responsible party, shall be assessed against the property on the next tax roll.

ARTICLE IV

Repeal

The former Nuisance Ordinance No. 5, adopted by the Village of Otter Lake in 1978, is hereby repealed in its entirety.

ARTICLE V

Enactment and Effective Date

Section 4.1 This Ordinance was adopted by the Otter Lake Village council at a meeting duly held on the 4th day of October, 2004

Section 4.2 This Ordinance was published in the County Press on the 13th day of October, 2004

Section 4.3 This Ordinance shall take effect twenty (20) days after the date of adoption specified in Section 4.1

David W Dorr
David Dorr, President

Joan Skias
Joan Skias, Clerk