

**VILLAGE OF MATTAWAN**  
**ANTI BLIGHT ORDINANCE**  
**Ordinance No. 191**

**AN ORDINANCE TO AMEND AND REPLACE ORDINANCE NO. 23**  
**OF THE VILLAGE OF MATTAWAN, ANTI BLIGHT ORDINANCE**

An Ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within the Village of Mattawan, Van Buren County, Michigan: To provide for the enforcement thereof and to provide penalties for the violation thereof.

**THE VILLAGE OF MATTAWAN ORDAINS:**

**SECTION 1 PURPOSE**

Consistent with the letter and spirit of 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 the Village of Mattawan by the prevention or elimination of certain environmental causes of blight or blighting factors, which exist or which may in the future exist, in said Village of Mattawan.

**SECTION 2 CAUSE OF BLIGHT AND BLIGHTING FACTORS FOR RESIDENTIAL USES**

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 the Village of Mattawan owned, leased, rented or occupied by such person, firm or corporation.

- A. In any area zoned or used for residential purposes, no inoperable vehicle shall be stored upon any property unless the method of storage meets those requirements as listed in Village Ordinance 186. The term 'inoperable vehicle' shall be applied to this ordinance as defined in Village Ordinance 186.
- B. In any area zoned or used for residential purposes, there will be no open storage on any property of building material, either new or removed, unless a valid building permit has been issued for the property in question by the Village of Mattawan. Building materials shall include, but not limited to lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating and cooling supplies or equipment, shingles, etc.
- C. In any area zoned or used for residential purposes, there will be no open storage or accumulation of junk, trash, debris, rubbish, or refuse of any kind except that generated by domestic use. Domestic refuse shall be stored in such a manner as not to create a nuisance for a period not to exceed seven (7) days. The term "junk" shall include but not be limited to parts of machinery or automobiles, unused or discarded appliances stored in the open, remnants of metal, wood, or any other discarded material which could not be used immediately in a reasonable manner. "Open storage" as used in this ordinance shall mean such storage or accumulation which is visible from any public street or sidewalk, or adjoining property.
- D. In any area zoned or used for residential purposes, the failure to maintain the exterior of any building in a well-groomed condition in which windows are glazed, exterior surfaces are kept clean and painted, porches and stairs are stable and free of cracked boards and/or blocks.
- E. In any area the existence of any structure or part of structure which because of fire, wind, natural act of God, or physical deterioration is no longer inhabitable as a dwelling nor useful for any other purpose for which may have been intended.
- F. In any area zoned or used for residential purposes, the existence of any vacant dwelling, garage, or other building, unless said structure is kept securely locked, windows are glazed, exterior surfaces are kept clean and painted, porches and stairs are stable and free of cracked boards and/or block, and are otherwise protected to prevent entry of the elements, unauthorized persons, or animals.

- G. In any area zoned or used for residential purposes, the existence of any partially completed structure unless such structure is in the course of construction and a valid building permit issued by the Village is on premise and in plain view of any public street or sidewalk.
- H. In any area zoned or used for residential purposes, the storage of firewood which is not stacked in a neat, orderly manner with a height not exceeding five (5) feet is prohibited. The storage of firewood shall be restricted to the rear yard or an interior side yard of the premises.

SECTION 3 NON-RESIDENTIAL CAUSES OF BLIGHT

The causes of blight or blighting factors set forth above as applicable to areas zoned or used for residential purposes are hereby determined to be causes of blight or blighting factors if located in areas zoned or used for any other purposes other than residential. Non-residentially zoned or other areas not being used for residential purposes shall be subject to the provisions of this Ordinance unless such uses of the property are incidental to and necessary for the carrying out of any business or occupation lawfully permitted to exist on the property in question.

SECTION 4 ENFORCEMENT AND PENALTIES

- A. The owner and/or the occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2, Sub-sections B, C and/or H, 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 ten (10) days after service of the notice upon him. Such notice may be served personally or by registered mail, return receipt requested. Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- B. The owner and/or occupant of any property upon which any of the causes of blight or blighting factors set forth in Section 2, Sub-sections D, E, F, and/or G, 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 thirty (30) days after service of the notice upon him. Such notice may be served personally or by registered mail, return receipt requested. Additional time may be granted by the enforcement officer where bona fide efforts 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.
- D. Any person convicted of violating or assisting in the violation of any provision of this Ordinance shall be subject to a fine of not more than five hundred dollars (\$500.00) and costs of prosecution or by imprisonment in the County Jail for not more than ninety (90) days, or both at the discretion of the Court. Each violation and every day upon which such violation shall occur shall be a separate offense. (Ord. No. 23, eff. 5-5-1969, amended by Ord. No. 114, eff. 1-3-1992)

Violators shall also be responsible to reimburse the Village for the actual costs incurred by the Village to remedy the blight or blighting factors and such liability may be enforced by a civil action filed in a court of competent jurisdiction. (Ord. No. 23, eff. 5-5-1969, amended by Ord. No. 118, eff. 3-16-1992)

- E. If the owner, agent or occupant of the property fails to remove or eliminate such causes of blight or blighting factors from such property within the time frame established by this Ordinance, the Village, or its agent, may enter upon the property and remove or eliminate such causes of blight and all expenses incurred shall be paid by the owner of the property. (Ord. No. 23, eff. 5-5-1969, amended by Ord. No. 118, eff. 3-16-1992)
- F. The Village shall have a lien on the real property from which the blight or blighting condition was removed or eliminated in the amount of the actual cost to the Village to remove or eliminate the blight or blighting factor until such costs are paid by the owner. If these costs have not been paid prior to the preparation of the next tax assessment roll, then such

amount shall be assessed as a special tax against the property on the assessment roll and collected in all respects as other taxes under the general tax laws of this state. (Ord. No. 23, eff. 5-5-1969, amended by Ord. No. 118, eff. 3-16-1992)

#### SECTION 5 SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason, it shall not affect any other part or portion hereof.

#### SECTION 6 EFFECTIVE DATE

This Ordinance will become effective upon publication.