

**FRENCHTOWN CHARTER TOWNSHIP  
BLIGHT ORDINANCE  
Ord. No. 146; Date of Adoption: February 1987**

An Ordinance to repeal Frenchtown Charter Township Ordinance No. 92 and to regulate the storage of junk, rubbish, building materials, and garbage within Frenchtown Charter Township and to prohibit such storage except under certain conditions, and to regulate the condition of vacant dwellings and structures in the Charter Township of Frenchtown, Monroe County, Michigan.

**THE CHARTER TOWNSHIP OF FRENCHTOWN HEREBY ORDAINS:**

**Section 1. Repeal.**

Ordinance No. 92 of the Charter Township of Frenchtown is hereby repealed.

**Section 2. Legislative Findings.**

It is hereby determined that there exists on privately owned parcels of land within Frenchtown Charter Township, accumulations of junk and/or garbage and that such accumulations of junk and/or garbage constitute a hazard to the public health, safety and welfare of the residents of Frenchtown Charter Township for the reasons that they provide a habitat conducive to breeding and nesting of rats, mice, and other vermin and also that they contain objects with sharp edges and other hazards which could injure small children who would be attracted to play thereon, not appreciating the danger thereof, and that the regulations contained in this Ordinance are the minimum regulations required to eliminate the foregoing undesirable condition and protect the public safety and welfare.

**Section 3. Definitions.**

- (A) Junk. As used in this Ordinance, "Junk" means any unused or unusable furniture, machinery, appliances, or parts thereof, including inoperable motor vehicles or recreational vehicles which, because of mechanical condition, missing parts or deterioration cannot be operated or driven.

Amended by Ord. No. 146-2.

- (B) Rubbish. As used in this Ordinance, "Rubbish" means waste paper, tinware or aluminumware, tin or aluminum cans, tin or aluminum cuttings, box, glass, straw, shavings, barrels, lumber, paper cartons, rocks, lawn cuttings and trimmings.
- (C) Garbage. As used in this Ordinance, "Garbage" is the accumulation of trash, refuse, or litter specifically including, but not limited to, containers once containing edible products, drinkable products or useable materials, as well as dead animals (or parts thereof) and discarded edible or drinkable items.

- (D) Building Materials. As used in this Ordinance, "Building Materials" shall include but shall not be limited to, lumber, bricks, concrete or 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.
- (E) Recreational Vehicles. As used in this Ordinance, "recreational vehicles" means snowmobiles, all terrain vehicles, boats, campers, travel trailers, utility trailers, snowmobile trailers, boat trailers or other similar recreational vehicles.

Amended by Ordinance No. 146-2.

**Section 4. Unlawful Act.**

- (A) Storage of Junk. No owner, occupant or possessor of land in Frenchtown Charter Township shall keep or permit to be kept at any two times not less than four days apart within any calendar month on such parcel any accumulation of junk thereon, unless the same is within a completely enclosed building.
- (B) Storage of Rubbish and Garbage. No owner, occupant or possessor of land in Frenchtown Charter Township shall keep or permit to be kept at any two times not less than four days apart within any calendar month on such parcel any rubbish or garbage unless the same is kept within a closely covered can or other metal, plastic or rubber container designed for the same, and sufficient to prevent entry by rats, mice, cats, dogs and other vermin.
- (C) Storage of Building Materials. No owner, occupant or possessor of land in Frenchtown Charter Township shall keep or permit to be kept on the premises, not within a completely enclosed building, any accumulation of building materials, unless construction is being done on said premises and unless said materials are intended for use in connection with said construction.
- (D) Vacant Dwellings. No owner, occupant or possessor of land in Frenchtown Charter Township shall keep or permit to be kept any vacant dwelling or garage, or outbuilding unless the same is kept securely locked, windows kept glazed and otherwise protected to prevent entrance thereto by unauthorized person or persons, or entrance thereto by cats, dogs, rats, mice and other vermin.
- (E) Deteriorated Dwellings. No owner, occupant or possessor of land in Frenchtown Charter Township shall keep or permit to be kept any structure which, because of fire, wind or other natural disaster or physical deterioration is no longer habitable as a dwelling, nor useful for any other purpose for which it may have been intended.

- (F) Partially Completed Structures. No owner, occupant or possessor of land in Frenchtown Charter Township shall keep or permit to be kept any partially completed structure, unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by Frenchtown Charter Township, and unless exterior construction is completed within one year after the issuance of said building permit.

**Section 5. Exceptions.**

This Ordinance does not apply to inventory on premises occupied by a merchant licensed under MCL 205.53 conducting a lawful business or to the property that patrons of a lawful motor vehicle repair facility, furniture or appliance repair facility, or gasoline service station while left on the premises of either for purposes of service or repair, nor does this Ordinance apply to junkyards which can be regulated under Public Act 12 of 1929.

**Section 6. Prima Facie Proof.**

In any litigation arising under this Ordinance, testimony that any furniture, machinery, appliances or parts thereof, have been observed in the same place on at least two (2) separate dates at least four (4) days apart within any calendar month, shall constitute prima facie proof that such machinery, appliances or parts thereof are inoperable, unused, or unusable as defined in Section 3 above. Likewise, in any litigation arising out of this Ordinance, testimony that any motor vehicle, or parts thereof have been observed in the same place for a period of thirty (30) days shall constitute prima facie proof that such motor vehicle or parts thereof are inoperable, unused, or unusable as defined in Section 3 above. Further, in any litigation arising under this Ordinance, testimony that a recreational vehicle or parts thereof, have been observed in the same place for a period of thirty (30) days and that such recreational vehicle is not in compliance with one or more subsections or Frenchtown Charter Township Zoning Ordinance No. 100, Section 4.05, shall constitute prima facie proof that such recreational vehicle or parts thereof are inoperable, unused or unusable as defined in Section 3 above.

Amended by Ord. No. 146-2.

**Section 7. Declaration of Nuisance.**

Any violation of any provision of this Ordinance is hereby declared to be a nuisance per se. The Township may petition a court of competent jurisdiction to order such nuisance abated and owner and/or agent in charge of such dwelling, building, structure, tent, trailer, mobile home or land can be adjudged of maintaining a nuisance of competent jurisdiction.

Furthermore, the Township shall be entitled to recover any costs and attorney fees or other public expenditures incurred as a result of efforts to abate such nuisance.

Amended by Ord. No. 146-2.

**Section 8. Enforcement and Penalty.**

- (A) This Ordinance shall be enforced by the Building Official of Frenchtown Charter Township, Michigan or his designee.

Amended by Ord. No. 146-3.

- (B) Violation of this Ordinance shall be a misdemeanor and shall be punishable upon conviction thereof by a fine not to exceed Five Hundred (\$500.00) Dollars or by imprisonment in the County Jail not to exceed ninety (90) days or by both fine and imprisonment at the discretion of the court. Each day that such violation exists shall constitute a separate offense.

Amended by Ord. No. 146-3.

**Section 9. Effective Date.**

This Ordinance shall become effective thirty (30) days after passage and publication in the Monroe Evening News, a newspaper having general circulation in the Charter Township of Frenchtown, Monroe County, Michigan.