**HUDSON TOWNSHIP ORDINANCE No#02016-02**

**Anti-Blight & Nuisance Ordinance**

An Ordinance to promote the public health, safety, and general welfare of property owners of the Hudson Township, Lenawee County, Michigan, by the regulation of excessive noise, junk, and other nuisance conditions in the Township, each of which is a serious hazard to the public health, welfare, and quality of life in Hudson Township; and to prescribe the penalties for violations of the regulations.

**THE HUDSON TOWNSHIP BOARD OF TRUSTEES ORDAINS:**

**SECTION 1 Title.**

This Ordinance is to be known and may be cited as the Hudson Township Nuisance Ordinance.

 **SECTION 2 Purpose; Preamble; Findings.**

 The purpose of this Ordinance is to prohibit and make unlawful the committing, creating, or maintaining any public nuisance within the Township, including among other things items deemed to be blight, a nuisance, junk, to minimize or reduce the potential safety hazards associated by such conduct, and otherwise provide for the health, safety, and welfare of residents and property owners of the Township by the prohibitions described in this Ordinance.

The Township is empowered by Act 246 of the Public Acts of 1945, as amended (now MCL 41.181), to adopt this Ordinance regulating the public health, safety, and general welfare of persons and property, and to provide penalties for the violation of this Ordinance.

The Hudson Township Board of Trustees finds that:

1. The nuisance conditions regulated in this Ordinance can, if not regulated, constitute a serious hazard to the public health, safety, welfare, and the quality of life of its citizens and property owners.
2. People and property owners in Hudson Township have a right to an environment free from nuisance conditions that may jeopardize the health, safety, welfare of others, or otherwise degrade the quality of life of its citizens and property owners.

**SECTION 3 Definitions.**

As used in this Ordinance, the following term has the following meaning:

1. "Person" means an individual, firm, or entity who (a) causes or makes a nuisance condition; (b) is in control of the property or premises from which a nuisance condition originates or emanates; or (c) owns the property or premises from which a nuisance condition originates or emanates.

**SECTION 4 Public Nuisance Prohibited.**

A public nuisance is defined to be any act or condition that is forbidden by any provision of this

Ordinance. A person must not commit, create, or maintain any public nuisance. All complaints of an

alleged public nuisance must be in writing to the Township Supervisor, and include location, owner of the land at issue (if known), date, time, and a general description of the alleged nuisance condition.

**SECTION 5 Public Nuisances Per Se.**

The following acts or conditions are each declared to be a public nuisance per se:

1. The storage or accumulation of rubbish, refuse, waste materials, garbage, paper, glass,

cans, bottles, trash, debris, junk or other foreign substances of every kind and description. Domestic refuse which is stored in such a manner as not to create a nuisance for a period not to exceed thirty (30) days is permitted. The term "junk" shall include unused stoves or other appliances stored in the open.

1. The placing or maintaining by any person, or permitting to remain on premises owned or occupied by him or her, or the throwing, placing, or leaving, or permitting the throwing, placing or leaving in any public place or on the premises of another any of the following substances: organic refuse, food wastes, ashes, dead animals, fish, animal bones, hides, grease, tallow, offal, shell, food containers or wrappings, cans, bottles, jars, crockery, garbage, discarded furniture, cartons, boxes, crates, rags, discarded clothing, bedding, floor covering, wallpaper, sweepings, waste paper, newspapers or magazines, discarded appliances, rubbish, human excrement, rot, construction debris (including but not limited to lumber, bricks, block, plumbing or heating materials, roofing materials, concrete, cement, electrical materials or siding), yard debris or rubbish (including but not limited to grass clippings, clippings from hedges or shrubs, or detached tree branches), industrial waste, or unclean or nauseous fluids or gases.
2. The emission of noxious fumes or gas, smoke, ashes, or soot in such quantities as to render occupancy of property dangerous or uncomfortable to a person of ordinary sensibilities.
3. The keeping of explosives, inflammable liquids, or other dangerous substances stored in

any manner or in any amount contrary to the provisions of any statute or applicable administrative regulation of the State of Michigan .

1. The keeping, either inside or outside of any building, structure, or dwelling, in a place accessible to children, any abandoned, unattended, or discarded icebox, refrigerator, or any air tight container of any kind which has a snap latch or other locking device thereon, without first removing the snap latch or other locking device, or the doors, from such icebox, refrigerator or other such air tight container.

**SECTION 6 Abatement; Costs.**

 All expenses, attorney fees, and costs incurred by the Township in abating a public nuisance under this Ordinance must be charged to the person responsible for the nuisance, the occupant of the land in question, or the person who appears as owner or party in interest according to the last local tax assessment records of the Township. If said person fails to pay said charge within 30 days after a statement therefor is mailed to him, the amount of expenses incurred by the Township in abating the public nuisance may be paid from the Township general fund, and the amount thereof assessed against the lands on which said expenditures were made on the next general assessment roll of the Township, and said amount must be collected in the same manner as other taxes are collected. The Township must have a lien upon such lands for such expense, said lien to be enforced in the manner prescribed by the general laws of the State providing for the enforcement of tax liens.

**SECTION 7 Enforcement and Penalties**.

The Township may enforce any violation of this Ordinance by:

A. Municipal Civil Infraction. Any person, firm, or corporation who shall violate any provision of this Article shall, be responsible for a Municipal Civil Infraction as provided in Ordinance #O2016-01, entitled the Municipal Civil Infraction Chapter.

1. Injunction and Abatement. In addition to any other remedies that may be available under this Section, the Township may commence proceedings in a court of proper jurisdiction to enjoin or abate a violation of this Ordinance. Such proceedings must be governed by the applicable statutes and court rules of the State of Michigan, and may include compensating the Township for its costs and reasonable attorney's fees.

**SECTION 8 Severability.**

 If any provision of this Ordinance is declared invalid for any reason, that declaration does not

affect the validity of all other sections of this Ordinance.

**SECTION 9 Repealer Clause.**

This Ordinance expressly repeals all Township ordinances and parts of ordinances in conflict

with this Ordinance.

**SECTION 10 Effective Date.**

This Ordinance takes effect 30 days after publication of this Ordinance or a summary of it as

permitted by law.

ADOPTED:

YEAS: Matt Smith, Sue Jacobs, Brad Hart, Marcy Griffin

NAYS: None

ABSENT: Ken Moore

STATE OF MICHIGAN )

 )ss

COUNTY OF LENAWEE )

**CLERK'S CERTIFICATION**

I, Marcy Griffin, the duly elected, qualified and acting Clerk of the Township of Hudson, Lenawee

County, certify that the above Ordinance was adopted at a regular meeting of the Hudson Township Board held at the Hudson Township Hall, on the 14th day of November 2016, by a majority of the members of the board presenting and voting.

Marcy Griffin, Clerk