

Sherman Township Ordinance No 05-101

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Sherman Township, Iosco County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by act 344 of the Public Acts of 1945, as amended.

THE TOWNSHIP OF SHERMAN, IOSCO COUNTY, MICHIGAN ORDAINS:

Section 1. Purpose

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in Sherman Township 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 township.

Section 2: Causes of Blight or Blighting Factors

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 Sherman Township owned, leased, rented or occupied by such person, firm or corporation.

Section 2 (A) Unlicensed, Dismantled, Partly Dismantled or Inoperable Motor Vehicles

In any area zoned for agricultural residential purposes, it is unlawful to store on any property, in view from six and one half feet above any point on the property line of said parcel, during all seasons, more than two (2) unlicensed, dismantled, partially dismantled or inoperable motor vehicles for a period exceeding twelve (12) months. Four (4) additional vehicles can be stored on said property, providing they are shielded from view from six and one half feet above any point on the property line of said parcel, during all seasons, utilizing natural or landscape features, or a decorative fence. Any number of said vehicles can be stored on said property, providing they are in a totally enclosed building. For the purpose of this ordinance, the term "inoperable motor vehicle" shall include passenger vehicles, trucks, or buses designed for use on the highways of the State of Michigan.

Section 2 (B) Dismantled, Partially Dismantled or Inoperable Recreational Vehicles, Snowmobiles, Campers, Motor Homes, ATVs Motor Cycles, Boats, Water Craft

In any area zoned for agricultural residential or commercial purposes, it is unlawful to store on any property, in view from six and one half feet above any point on the property line of said parcel, during all seasons, more than one (1) dismantled, partially dismantled or inoperable recreational vehicle, snowmobile, camper, motor home, ATV, motorcycle, boat, or water craft for a period exceeding six (6) months. Two (2) additional vehicles can be stored on said property, providing they are shielded from view from six and one half feet above any point on the property line of said parcel, during all seasons, utilizing natural or landscape features, or a decorative fence. Any number of said vehicles can be stored on said property, providing they are in a totally enclosed building.

In any area zoned for agricultural residential or commercial purpose the storage upon any property of building materials in such manner and/or volume or disarray as to create a nuisance unless there is in force a valid building permit issued by the Iosco County Building Authority for construction upon said property and said materials are intended for use in connection with such construction. 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, or any other materials used in constructing any structure.

Section 2 (C) Junk, Trash, Rubbish, Refuse

In any area zoned for agricultural residential or commercial purposes, it is unlawful to store or accumulate junk, trash, rubbish or refuse of any kind without a landfill permit, including domestic refuse stored in such a manner as to be visible from the road or adjacent property lines, without a landfill permit, or other proper permit and/or license, for a period exceeding 15 days after service of the notice. The term "junk" shall include paper, plastic, cardboard, glass, parts of machinery or motor vehicles, unused appliances, remnants of woods, metal or any other material or other cast-off material of any kind. A ninety (90) day special use permit may be issued by the enforcement officer or the Township Board, if they determine the subject material to be of any reasonable use.

Section 2 (D) Deteriorated Mobil Homes, Dwellings, Garages, Structures

In any area zoned for agricultural residential or commercial purposes, it is unlawful to have or retain any mobile home, motor home, camper, dwelling or garage structure or part of any structure which, because of physical deterioration, fire, wind or other natural disaster, is no longer habitable if a dwelling, nor useful for any other purpose for which it may have been intended.

Section 3: Enforcement and Penalties

This ordinance shall be enforced by such persons who shall be so designated by the Township Board.

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 2 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 him. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the enforcement officer or Township Board where bonafide efforts to remove or eliminate such causes of blight or blighting factors are in progress. Failure to comply by the owner and/or occupant with such notice within the time allowed constitutes a violation of this ordinance.

Violation of this ordinance shall be a misdemeanor which shall be punishable upon conviction thereof by a fine not exceeding ONE THOUSAND DOLLARS (\$1,000.00) dollars or by imprisonment not exceeding NINETY (90) days or by both fine and imprisonment in the discretion of the Court.

Section 4: Effective Date and Adoption

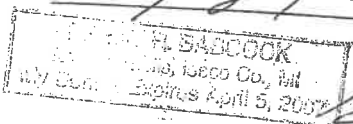
This ordinance shall become effective thirty (30) days after its publication as required by law.

This ordinance was adopted by the Township Board of Sherman Township, Iosco County, Michigan, at a Regular meeting thereof held on Apr 4 2005

ATTESTED COPY

I, the undersigned, Mildred LeTienne, Sherman Township Clerk, hereby attest, certify and affirm that the foregoing is a copy of the complete Ordinance No. 05-101 as adopted by the Sherman Township Board on the 4th day of April, 2005.

DATED: 4-27-05



Mildred LeTienne
Mildred LeTienne, Sherman Township Clerk

CERTIFICATE OF ADOPTION
OF THE SHERMAN TOWNSHIP ORDINANCE NO. 05-101

The undersigned Mildred LeTienne, being first duly sworn, on oath, says:

1. That your Affiant makes this Certificate of Adoption of the Sherman Township Ordinance No. 05-101 as the Clerk of the Township of Sherman, Iosco County and State of Michigan.
2. That Ordinance No. 05-101 was adopted on the 4th day of April, 2005 to be effective thirty (30) days after its publication as required by law.
3. That the names of the Sherman Township Board Members voting on the adoption of the Ordinance was Fred Stred Strauer, Township Supervisor, Ralph Jones, Board Member, Norma Sexton, Board Member, Linda Pipes, Treasurer, and Mildred LeTienne, Township Clerk, representing all of the members of the Sherman Township Board.
4. That each member of the Sherman Township Board referred to immediately above voted in the affirmative on the Motion for the adoption of the Ordinance.
5. That the complete Ordinance was published in the Iosco County News Herald, a newspaper of general circulation in Iosco County, on Wednesday, April 20th, 2005.
6. That attached hereto and made a part hereof is a true and exact copy of Sherman Township Ordinance No. 05-101 as adopted at the regular meeting of the Sherman Township Board on the 4th day of April, 2005.
7. That it is hereby certified that the foregoing facts are true based upon the personal knowledge of the undersigned as Sherman Township Clerk.

The foregoing was signed, sworn and certified on this 27th day of April, 2005 by Mildred LeTienne, the Sherman Township Clerk.

Signed:

MS
Mildred LeTienne, Sherman Township Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF IOSCO)

The foregoing Certificate of Adoption was acknowledged before me, a Notary Public, on this 27th day of April, 2005 by Mildred LeTienne, Sherman Township Clerk.

BS
Brent R. Babcock, Notary Public
Iosco County and State of Michigan
Acting in Iosco County
My Commission Expires: 04/05/2007