

Chapter 14
ENVIRONMENT*

* **State Law References:** Natural resource and environmental protection act, MCL 324.101 et seq.

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ARTICLE I.
IN GENERAL

Secs. 14-1--14-18. Reserved.

ARTICLE II.
NUISANCES*

* **State Law References:** Public nuisances and abatement, MCL 600.3801 et seq.

Sec. 14-19. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building material means roofing material, lumber, bricks, concrete or cinder blocks, plumbing material, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or other material used in constructing a structure.

Dismantled vehicle means any motor vehicle, trailer, trailer coach, or motor home that has a part, which is ordinarily a component of that vehicle, removed or missing resulting in the vehicle not being operational.

Junk means all items, including, but not limited to, discarded wood products, building materials, paper and paper products, furniture, household goods, appliances, tools, nonoperational lawn mowers and other small engine machinery, parts of motor vehicles, commercial or consumer machinery, or other obsolescence

equipment. Failure to utilize any item discarded for a period of 30 consecutive days shall constitute prima facia evidence of its being junk as herein defined.

Motor vehicle means a self-propelled vehicle which can legally be operated on highways in the state.

Operational vehicle means a vehicle which is capable of being propelled under its own power or towed as it would in its normal operation. In addition, an operational motorized vehicle has all necessary driving units and gears in operating condition, four wheels with four pneumatic tires capable of holding air, a battery capable of starting and operating the vehicle and its accessories, a current license plate, and is insured.

Trailer means an operational vehicle that requires registration by the secretary of state and which is designed to be pulled or towed.

Vehicle means a motor vehicle or trailer.

(Ord. No. 02-1, § 1, 2-11-2002; Ord. of 2-25-2008)

Sec. 14-20. Unsanitary conditions.

No owner or occupant of any property within the city limits shall permit any condition to exist that the county or state health department considers unsanitary or a hazard to the health, safety or welfare of the residents.

(Ord. No. 02-1, § 3, 2-11-2002; Ord. of 2-25-2008)

Sec. 14-21. Structures.

(a) The owner of property within the city shall not permit any structure to deteriorate to a point of being unsafe for its intended use or allow the existence of any structure which, because of fire, wind, or other natural disaster, or physical deterioration, is no longer:

- (1) Habitable, if a dwelling; or
- (2) Useful for the purpose for which it is intended.

(b) Any vacant dwelling, garage or other out building shall be kept securely locked, and the windows shall be kept glassed or neatly boarded up to protect from entrance by vandals.

(c) Every building or structure which may be erected, placed, enlarged, repaired or kept in the city in violation of any state statute, ordinance or regulation made for the prevention of fires, is hereby declared to be a nuisance, and may be abated or removed at the direction of the city manager.

(Ord. No. 02-1, § 4, 2-11-2002; Ord. of 2-25-2008)

Sec. 14-22. Grass and weeds.

(a) Except in the area in the industrial park south of the railroad tracks, areas on industrial zoned properties used as storage yards, or areas that are forested or in a natural state, grass or weeds may not exceed the height of eight inches as measured on the 15th day of the months May through October.

(b) Any city property owner may ask the city council to determine whether his property qualifies as a forested or natural area. If the council, by majority vote, determines the property does qualify, the owner may not develop the property until such time as the council removes the designation.
(Ord. No. 02-1, § 5, 2-11-2002; Ord. of 2-25-2008)

Sec. 14-23. Vehicles.

(a) *Stored or parked.* Vehicles as defined in this article shall not be stored or parked in the city if they:

- (1) Are unlicensed;
- (2) Are not operational vehicles; or
- (3) Are a dismantled vehicle.

(b) *Exceptions.* Vehicles that are exceptions are as follows:

- (1) Vehicles, which are kept as stock and trade of a licensed new or used car dealer or a trailer or travel trailer dealer are exempt from the license requirement.
- (2) Licensed repair facilities may have no more than three vehicles which are kept in violation of this section for no more than one week each.
- (3) Vehicles that do not comply with this section shall be securely stored within a building.
- (4) Motor vehicles which are not required to have a current license plate, such as stock cars and antique vehicles, are exempt from the license requirement only.
- (5) Unlicensed vehicles for sale by owner may be allowed for a period of time up to 90 days.
- (6) Vehicles that are owned by armed services personnel on active duty and are deployed out of state. The vehicle may not be dismantled.

(c) *Violation notice and penalty.* If the city notifies the owner of the vehicle of the violation, the owner shall have ten days to correct the violation. If the owner does not correct the violation within ten days, the city shall have the authority to abate the nuisance by removal and impounding of the vehicle. In addition to any other fines or cost imposed, the owner of the vehicle shall be responsible for towing and impoundment costs.

(Ord. No. 02-1, § 6, 2-11-2002; Ord. of 2-25-2008)

Sec. 14-24. Junk.

No person shall be permitted to accumulate junk on any property, commercial or residential, within the city.

(Ord. No. 02-1, § 7, 2-11-2002; Ord. of 2-25-2008)

Sec. 14-25. Enforcement.

(a) The chief of police is hereby charged with the enforcement of this article.

(b) Any person who violates any of sections 14-20 through 14-24 shall be responsible for a civil infraction under the chapter 20, article II, pertaining to municipal civil infractions.

(c) If the city notifies the owner or occupant of the violation, the owner or occupant shall have ten days to correct the violation. If the owner or occupant of the premises does not abate the nuisance, the city shall have the right to abate the nuisance and bill the owner or occupant of the property for the cost of the abatement. If the bill is not paid within 30 days, the city may add the delinquent amount to the tax bill for the parcel.

(d) An owner or occupant who is cited under this article may appeal to the city council, if extenuating circumstances are involved.

(Ord. No. 02-1, § 8, 2-11-2002; Ord. of 2-25-2008)