

CHARTER TOWNSHIP OF HAMPTON

ORDINANCE NO. 13-2

ANTI-BLIGHT ORDINANCE - SECOND AMENDMENT

An Ordinance to amend the Charter Township of Hampton Anti-Blight Ordinance, being the Charter Township of Hampton Ordinance No. 13, by amending said Ordinance to add Sub-Section (G) to Section 2 of said Ordinance No. 13.

Through duly authorized action of its Board of Trustees, having determined that the existence of uncut grasses and weeds can provide refuge for rodents, vermin, rats etc.; can present clear vision problems; as well as to generally cause blighted conditions; and having further deemed said conditions to be detrimental to the health, safety and welfare of the Township and its residents;

THE CHARTER TOWNSHIP OF HAMPTON, BAY COUNTY, MICHIGAN ORDAINS:

Section 1. SHORT TITLE.

This Ordinance shall be known as the "Anti-Blight Ordinance -- Second Amendment."

Section 2. CAUSE OF BLIGHT OR BLIGHTING FACTORS - (Section 2 of Of Ordinance No. 13, as amended).

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 areas within

the Charter Township of Hampton. On or after the effective date of this Ordinance, no person, firm or corporation of any kind shall maintain or permit to be maintained any of the following causes of blight or blighting factors upon any property owned, leased, rented or occupied by such person, firm or corporation within the Charter Township of Hampton.

G. It shall be unlawful to allow grass or weeds, unless otherwise exempted herein, to grow to a height in excess of eight (8) inches, which shall be deemed to be a blighted condition. This ordinance shall apply to the following properties:

(1) On all residential lots of one (1) acre or less in area, in any residential or agricultural zone where the lot is adjacent to an established public street and, further, is adjacent to an occupied and developed residential property on at least one (1) side, weeds and grasses shall be maintained below the eight (8) inch maximum. This ordinance shall apply and require cutting of weeds and grasses for a least the first two hundred (200) feet fronting from any roadway.

(2) All commercial properties shall be maintained to a height of no more than eight (8) inches as described above when the commercially zoned property abuts any developed property, and said property shall be maintained to a minimum depth from any public street, of a least two hundred (200) feet.

(3) All industrial property shall be maintained to a height of no more than eight (8) inches as described above when the industrially zoned property abuts any developed property, and said property shall be maintained to a minimum depth from any public street of at least two hundred (200) feet.

(4) It shall be the duty of the Township Supervisor to give general notice to every owner, possessor or occupier of land, and of every person having charge of any land within the Township, by publication at least once in a newspaper of general circulation in the Township that grasses and weeds not cut by May 15th of that year and/or as often thereafter as necessary, will be cut by the Township and the owner of the property charged with the cost of same, including any cost incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient for carrying out the requirements of this article.

(5) In the event any grass or weeds have not been cut or destroyed by May 15th, and/or as often thereafter as necessary, the Township Supervisor or his or her designee, or any duly authorized contractor engaged by the township, may enter upon the land and cause all such grass or weeds to be cut down and destroyed. Express power to so enter upon such land and to destroy such grasses or weeds is hereby conferred. All expenses of such cutting or destroying, including any and all costs incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient for carrying out the requirements of this ordinance shall be paid by the owner of such land, plus an administrative service charge, \$100.00 per cutting or destroying. The Township Supervisor or his or her designee may enter upon such lands as often as necessary to cut and destroy grasses and weeds and shall not be liable in any action for trespass. The Township shall have a lien against such lands for any expenses incurred, which lien shall be placed upon the special tax roll next in course of preparation as a charge against the property upon

which such expense was incurred; and the same shall become a lien upon the land and shall be assessed and collected in the same manner as all other special assessments of the Township are assessed and collected; and the same, when collected, shall be paid into the general fund to reimburse the expenses therefrom. The penalties and remedies herein are in addition to those set forth in Section 4 of Ordinance 13-1, as amended.

(6) Sub-Section (G) shall not apply to agriculturally used land in any zone classification that is either under current production or is enrolled in a state or federal program providing subsidies for allowing the land to sit fallow; nor shall it apply to lots or parcels which, by their use, are being maintained in a natural setting as defined herein or which, by affirmative steps taken by the property owner, such as the planting of trees, ferns, shrubs, and other natural growth found in the community, are being created as a natural setting and habitat.

Definition of "Natural Setting": A "natural setting" lot or parcel shall be defined as a parcel of property containing a variety of grasses, shrubs, ferns, and trees, either existing in a natural state or planted by the property owner, to create the appearance of a parcel of property which has never been tilled, plowed, or otherwise altered from its natural state. A natural setting is not, however, an area that has once been cleared and either tilled or planted to grasses and simply allowed to continue to grow. The natural setting of plants, shrubs, trees, and bushes, must reflect various stages of maturity and height in order to give the appearance of property which had never been

cleared by man, to project the appearance of property which had been allowed to continue in its natural state.

(7) This amendment shall be effective upon publication following adoption by the Hampton Charter Township Board of Trustees.