

**BLUMFIELD TOWNSHIP, SAGINAW COUNTY, MICHIGAN**

**ORDINANCE NO. 20-01**

An ordinance to preserve the peace, welfare, order, health, and safety of persons and property in the Township, and to prescribe a penalty for the violation of the provisions of this ordinance.

**THE TOWNSHIP OF BLUMFIELD, SAGINAW COUNTY, MICHIGAN, ORDAINS:**

**Section 1: Definitions**

1. The word "persons" or "person" as used in this ordinance means a natural person and also includes corporations, partnerships and associations and their officers and officials existing under or authorized to exist under the laws of the State of Michigan or of any other state or any foreign country.

2. The word "nuisance" as used in this ordinance means any act or acts or omission to act on the part of any person which creates or permits the existence of a situation which annoys, injures or endangers the peace, welfare, order, health or safety of the public in their persons or property. As defined herein, a nuisance includes, but is not limited to, conditions which render persons insecure in life or in the use and enjoyment of their property, such as effects and emanations from noise, glare, lights, vibration, dust, smoke, odor, gas, steam, fly-ash, soot, acids, chemicals, fumes, cinders, worms, insects, rodents, flies, decaying matter, whether such effects and emanations are natural or result from human or mechanical alteration or manipulation of materials. A nuisance also includes residues or leaching from deposits of matter which seep into water on the surface or in the ground thereby making it unfit or unpalatable for human consumption, or for use by domestic animals. A nuisance includes a condition which is indecent, obnoxious, or offensive to the senses.

**Section 2: Penalty**

A violation of this ordinance is a municipal civil infraction, in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction as set forth in Ord. No. 98-8-11B. Each day that such nuisance is permitted to exist shall constitute a separate offense.

**Section 3: Abatement**

It is the duty of the person who creates, causes, allows, suffers or permits the existence of a nuisance, to abate the same. The term "abate" or "abatement" shall include demolition removal, repair, maintenance, construction, reconstruction, replacement and reconditioning of structures, appliances, appurtenances or equipment; and it shall also include removal, transportation, buying, disposal and treatment of refuse, manure or other substance or media capable of causing obnoxious

odors or of attracting or breeding flies, and the application of chemicals insecticides or other substances or the use of mechanical means to control, eradicate and eliminate the nuisance conditions, including screen-belts of trees and fences.

#### **Section 4: Enforcement; Costs**

The Supervisor is hereby authorized to enforce this ordinance, and he/she may delegate the enforcement to any administrative official or employee of the Township. In addition the penalty set forth in Section 2, the Township may, after notice to the owner and after holding a public hearing thereon, declare any such condition as a nuisance by giving notice to the owner of the land upon which such condition is located, requiring the owner to abate the nuisance within such reasonable time as may be necessary to do or have done the work required by said notice. If the owner has not complied with the requirements of the notice, the Township shall cause the requirements of the notice to be carried out. The costs of the such abatement shall be assessed against the premises and the owner upon the tax roll to be collected in a manner similar to other properly assessed property taxes and/or take any other action against the owner to collect the accrued amount expended by the Township. Interest may accrue on all assessed costs at the legally applicable rate.

#### **Section 5: Repeal**

All ordinances or part of ordinances of the Township inconsistent or in conflict with this Ordinance are repealed.

#### **Section 6: Invalidity**

If any section, paragraph, sentence, clause, phrase or part of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect and to this end the provisions of this Ordinance are hereby declared severable.

#### **Section 7: Effective Date**

This Ordinance will become effective 30 days after publication.

#### **Section 8: Where Ordinance may be inspected**

A copy of this Ordinance may be obtained from the Clerk of Blumfield Township at the Township Offices located at 1175 W. Vassar Road, Blumfield Township, Michigan.

#### **Section 9: Publication**

This Ordinance upon adoption is ordered to be given publication as required by law.

Motion by \_\_Roethlisberger\_\_\_\_\_, seconded by \_\_\_\_Frahm\_\_\_\_\_ to adopt Ordinance 20-01.

**Ordinance 20-01 was adopted by the following roll call vote:**

Vote:

_____ Yea _____	Supervisor
_____ Yea _____	Treasurer
_____ Yea _____	Clerk
_____ Yea _____	Trustee
_____ Yea _____	Trustee

The foregoing Ordinance was duly adopted at a regular meeting of the Blumfield Township Board held on the 14th day of April, 2020.

\_\_\_\_\_  
Lisa Roethlisberger  
Clerk

I, Lisa Roethlisberger, Clerk of Blumfield, do hereby certify that the above is a true and exact copy of the Ordinance heretofore passed by the Blumfield Township Board, Saginaw County, Michigan voted.

This Ordinance was given publication in the Frankenmuth News on the 17th day of June, 2020.

\_\_\_\_\_  
Lisa Roethlisberger  
Clerk