

ORDINANCE NO. 2025-003

TOWNSHIP OF CHESANING

SAGINAW COUNTY, MICHIGAN

ADOPTED: July 10, 2025

PUBLICATION DATE: July 20, 2025

EFFECTIVE: August 20,2025

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within the Township of Chesaning, Saginaw County, Michigan; to prohibit the storage or accumulation of trash, rubbish, junk, junk vehicles, abandoned vehicles, building materials and the maintenance of blighted structures upon any private property within the Township of Chesaning all of which tends to result in blighted and deteriorated neighborhoods, the spread of vermin and disease and the increase of criminal activity; to provide for the elimination thereof and for the enforcement of the aforesaid purposes; and to provide penalties for the violation hereof; to provide the Township's ability to recoup costs and fees in the enforcement hereof; and to promote the health, safety and general welfare. Pursuant to the Township's general police power, the General Law Township Act, and the enacting authority therefore provided by Public Act 3 of 1895, MCL 61.1 et seq., as amended, and the Blighted Area Rehabilitation Act, Act 344 of 1945, MCL 125.71, et seq., as amended.

THE TOWNSHIP OF CHESANING SAGINAW  
COUNTY, MICHIGAN

ORDAINS:

Section 1. Short Title:

This ordinance shall be known as "The Township of Chesaning Anti-Blight Ordinance. "

Section 2: Purpose

It is the purpose of this Ordinance to prevent, reduce or eliminate blight in the Township of Chesaning by the prevention or elimination of contributing factors and causes of blight which exist or which may in the future exist in the Township of Chesaning. It is also the purpose of this Ordinance to empower the Township with authority to remedy any Ordinance violation(s) that may exist and to provide mechanisms by which the Township may be reimbursed for the costs and fees that it incurs in connection with remedying a violation of this Ordinance.

Section 3. Definitions:

The following words or terms when used herein shall be deemed to have the meaning set forth below:

(a) The term "abandoned vehicles" shall include, without limitation any vehicle or trailer which has remained on private property for a period of fortyeight (48) continuous hours or more, without the consent of the owner or occupant of the property or for a period of forty-eight (48) continuous hours or more after the consent of the owner or occupant of the property has been revoked.

(b) The term "blighted structure" shall include, without limitation, any dwelling, garage, outbuilding (including any shed), or mobile home used as a legal dwelling, travel trailer, recreational vehicle, or any factory, shop, store, office building, warehouse, or any other structure or part of a structure which because of fire, wind, other natural disaster or occurrence, physical deterioration, neglect or intentional act is no longer habitable as a dwelling, or useful for the purpose for which it may have been intended, or is partially completed and which is not presently being constructed under an existing, valid building permit issued by or under the authority of the Township of Chesaning, or is not structurally sound, weather-tight, waterproof or vermin-proof; or is not covered by a water resistant paint or other waterproof covering so as to protect said structure from the adverse effects of the elements or from physical deterioration, or other condition which creates or tend to create an obnoxious condition by sight, smell or sound.

(c) The term "building materials" shall include, without limitation, lumber, brick, concrete, steel, metal, wood or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in constructing or repairing any structure.

(d) The terms "dismantled motor vehicles" and "partially dismantled motor vehicles" mean motor vehicle(s) from which some part(s) which are ordinarily component(s) of such motor vehicle(s) have been removed or are missing.

(e) The term "dwelling" means any house, building, structure, or trailer which is occupied in whole or in part as a home, residence, living or sleeping place, or which is intended to be occupied by one or more human beings, either permanently or transiently.

(f) The term "enforcement officer" means the Chesaning Township Code Enforcement Officer, any Chesaning Township Police Officer, or any other person designated by the Township of Chesaning Township Board of Trustees to enforce the provisions of this Ordinance.

(g) The term "inoperable motor vehicle" means a motor vehicle which by reason of dismantling, disrepair, neglect, or other cause is incapable of being propelled under its own power.

(h) The term "junk" shall include, without limitation, discarded materials of any kind (regardless of whether the discarded material could be put to any reasonable use), abandoned, discarded, unusable, or unused objects or equipment including, but not limited to, machines or parts of machines, motor vehicles or parts thereof, house trailers or parts thereof, recreational vehicles or parts thereof, travel trailer, broken or unusable furniture, furnishings, recreational equipment, stoves, refrigerators, air conditioners, or other appliances or parts thereof, remnants or scraps of wood, metal, rubber, cans, bottles, metal, boxes, cartons, crates, plastic or any other cast-off material of any kind whether or not the same could be put to any reasonable use, and second hand or used materials, as well as all other materials which are incapable of performing the function for which they were manufactured or intended or any other materials which create or tend to create an obnoxious condition by sight, smell or sound.

(i) The term "junk motor vehicles" or "junk trailer" shall include, without limitation, any motor vehicle or trailer which is not licensed and/or registered and/or the registration for which has expired for more than 30 days for use upon the highways of the State of Michigan and, whether licensed or not, any motor vehicle which is inoperable for any reason for a period in excess of thirty (30) days. Exterior storage of junk motor vehicles is prohibited on any private property in the Township except upon the premises of a properly zoned, legally operating and approved auto parts dealer, auto repair garage, or wrecker business. Available alternatives include storage within a completely enclosed building, offsite storage in an approved storage facility, or disposal at an approved facility.

G) The term "large articles" in this Ordinance, is defined, but not limited to, motor vehicles, boats, trailers, buildings, building materials, etc.

(k) "Motor vehicle" shall mean any automobile, truck, bus, motor home, motorized camper, motorcycle, motor scooter, or snowmobile, dune buggy or other off-road vehicle, or any other vehicle that is propelled in whole or in part by a motor or any gas, diesel, liquified petroleum, propane, mechanical or other artificial means or is being pushed or towed by the same.

(l) The term "person" shall include all-natural persons, firms, copartnerships, corporations, companies and all associations of natural persons, incorporated or unincorporated, whether acting by himself or herself or by servant, agent or employee. All persons who violate any of the provisions of this ordinance, whether as owner, occupant, lessee, agent, servant or employee shall, except as herein otherwise provided, be equally liable as principals.

(m) The term "small articles" in this Ordinance is defined, but not limited to, small appliances, bicycles, lawn and garden equipment, lawn ornaments, auto parts, fixtures, etc.

(n) The terms "trash" and "rubbish" shall include any and all forms of debris not herein otherwise classified. The terms "trash" and "rubbish" shall also include: Refuse or rejected food wastes in the form of putrescible animal, poultry, fish, fruit or vegetable wastes resulting from the handling, preparation, cooking, discarding or consumption of foods, including animal, poultry or fish carcasses or parts thereof; materials used or accumulated in the operation or maintenance of a household which are customarily discarded after use, including but not limited to newspapers, magazines, books, wrappings, cartons, boxes, crates, rags, or sweepings, or materials which are customarily discarded after becoming unusable due to wear or damage, such as clothing, bedding, floor coverings, wallpaper, or articles of metal, plastic, cloth or leather; The residue left from burning of paper, leaves, wood, coal or other combustible materials; food containers or wrappings (whether damaged or undamaged) including but not limited to cans, bottles, jars, glass, crockery, bags, sacks or plastics, or paper, plastic, wood, or metal cartons or boxes, or other similar or like articles or materials; articles or materials used for medical or hygienic purposes or for infant care; the products of vegetation grown on a property, or which are brought onto a property, including but not limited to grass clippings, weeds, leaves, plants, tree(s) or parts thereof, branches, clippings from shrubs, bushes or hedges, or roots and stumps.

(o) The term "vehicle" as used in this Ordinance, is defined to include any automobile, truck, bus, motor home, motorized camper, motorcycle, motor scooter, snowmobile, dune buggy or other off-road vehicle, motor vehicle(s), trailer, recreational vehicle, travel trailer and/or a so-called mobile home being used as a dwelling, and which mobile home may not meet the minimum requirements of the Township of Chesaning Zoning Ordinance pertaining to a legal dwelling.

(p) The term "vacant buildings" includes any building which is unoccupied, and which is not securely locked, with the windows glazed or neatly boarded up and protected against the elements and from vandals and rodents and other animals.

#### Section 4. Restrictions:

(a) It is hereby determined that the storage or accumulation of trash, rubbish, junk, second-hand materials, junk vehicle(s), abandoned vehicle(s), dismantled motor vehicle(s), partially dismantled motor vehicle(s), inoperable motor vehicle(s), building materials and/or the maintenance and/or existence of blighted structure(s) upon any private property within

the Township of Chesaning results in and/or tends to result in blighted and deteriorated neighborhoods, the spread of vermin and disease, the increase in criminal activity and therefore is contrary to the public peace, health, safety and general welfare of the community, and thus, is strictly prohibited, unless otherwise permitted by a specific business license.

- (b) It shall be unlawful for any person to store or accumulate, or to permit the storage or accumulation of trash, rubbish, junk, second-hand materials, junk vehicles, abandoned vehicle(s), dismantled motor vehicle(s), partially dismantled motor vehicle(s) or inoperable motor vehicle(s) or to abandon any of same on any private property in the Township except within a completely enclosed building or upon the premises of a properly zoned and legally operating, licensed and approved junk dealer, junk buyer, dealer in used auto parts, dealer in second hand goods or junk, operator of an automobile repair garage and/or automobile wrecker business.
- (c) It shall be unlawful for any person to keep or maintain or for any person to cause to be kept or maintained any blighted structure or vacant structure unless such structure is in the course of construction in accordance with a valid building permit issued by the Township of Chesaning, and unless such construction is completed within the permitted time (which shall not exceed the time period of 90 days unless good cause is found by the Township Enforcement Officer).
- (d) It shall be unlawful for any person to store or accumulate or permit the storage or accumulation of building materials on any private property except in a completely enclosed building or in instances where such materials are being used or are awaiting immediate use in the construction or repair of a structure on the property to be completed within a reasonable time (which shall not exceed 60 days) and in accordance with a valid building permit issued by the Township, and except building materials which constitute a part of the stock in trade of a business located on a property which is zoned for such business or use.
- (e) It shall be unlawful for any person to store or accumulate or permit the storage or accumulation of firewood on property owned, leased, rented or occupied by him/her except in a neat, orderly stack for use and not scattered about the property which allows weeds to grow wildly and/or vermin to inhabit.
- (O) It shall be unlawful for any person to store or accumulate or permit the storage or accumulation of ashes, household or yard rubbish or trash, except for such reasonable periods of time as the ashes, household or yard rubbish or trash await regular, systematic removal and/or disposal in accordance with law. Such materials while awaiting removal/disposal shall be temporarily

stored in a completely enclosed building, with the exception of yard rubbish and trash which may be temporarily stored either in an enclosed building or at a location on the property where it is as much concealed from public view as practicable.

- (g) It shall be unlawful for any person to store or accumulate or permit the storage or accumulation of any junk, except within a completely enclosed building, and except as provided by law upon the premises of a duly licensed junk dealer, junk buyer, dealer in new or used automobiles or automobile parts, or dealer in secondhand goods, on a property which is zoned for such use or activity.
- (h) It shall be unlawful for any person to store or accumulate or permit the storage or accumulation of any inoperable vehicle, except in a completely enclosed building or at a location on the property where it is concealed from public view.
- (i) It shall be unlawful for any person to store or accumulate or permit the storage or accumulation of any abandoned vehicle.
- (j) No person shall be permitted to place for sale an article(s) upon any private property within the Township of Chesaning for more than 30 consecutive days.

#### Section 5: Notice

- (a) A violation of the provisions of this Ordinance shall be a Municipal Civil Infraction for the first violation and shall be a misdemeanor for any subsequent violation. If, upon inspection, the Township Enforcement Officer, or any authorized person appointed by the Township, finds that any property within the Township is being used in violation of this Ordinance, the owner and/or occupant of said property shall be notified of such violation which may be given by first class mail to the owner or occupant of the subject property as it appears on the tax rolls of the Township of Chesaning or by service upon any owner or occupant personally by a process server, court officer or official or personnel member of the Township of Chesaning or the Saginaw County Health Department, or as the Township Board shall otherwise provide.

However, said notice as described in this Section, shall only be required for an Owner/Occupant's first violation of this Ordinance. For any subsequent violation of this Ordinance by an Owner/Occupant, the Township shall not be obligated to provide the noticed described herein and, instead, may proceed directly to a court action to obtain compliance with this Ordinance. The aforesaid notice shall provide that the violation must be abated by repair or removal within ten (10) days (or other shorter or longer time as the Township Enforcement Officer and/or

Board deem appropriate). If, in the sole judgment of the Township, the violation represents a public-health emergency or other serious condition, which must be immediately abated, the ten (10) day abatement period may be waived by the Township, and the Township may proceed immediately with legal action to abate the violation and to obtain such other relief as available or permitted at law.

- (b) If the owner and/or occupant of the subject property/premises does not cause the violation of this Ordinance to be abated or removed within the time prescribed in the notice, the Township may proceed to secure compliance with this Ordinance in any manner permitted by law. Further, the Township may institute an appropriate court action seeking an injunction, mandamus, abatement or other appropriate writ, order or proceeding to prevent, enjoin, abate or remove any violation(s) of this Ordinance.

#### Section 6. Penalty and Responsibility for Abatement Fees and Costs:

If the owner and/or occupant of the property/premises at which the violation has occurred/is occurring fails to remove, eliminate, abate or correct the violation within 10 days of the mailing of the notice described in this Ordinance (or sooner based on a finding of emergency or other serious situation contemplated herein), then the Township may initiate a court action seeking authorization to abate the violation by removing, eliminating, or correcting it. The owner and/or occupant shall be liable for the entire cost of the Township's removal/elimination/abatement efforts, including any attorney's fee or court costs that the Township incurs related to the violation. Further, when the Township is forced to remove/eliminate/abate the violation, the owner and/or occupant shall be billed for the actual cost of the work plus an administrative fee of twenty percent (20%) of the actual cost. The cost and the fee shall be in addition to fines and costs assessed upon a finding of responsibility for a municipal civil infraction or misdemeanor.

When the Township has taken action pursuant to this Ordinance to remove/eliminate/abate the violation, the actual cost thereof (plus the administrative fee), as well as the entirety of the costs and attorney's fees incurred by the Township in connection with the violation, shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the Township, and said charge shall be due and payable by said owner at the time of receipt of such bill.

Where the full amount due to the Township is not paid by such owner within sixty (60) days after the date of billing as provided for in the preceding paragraphs, then the Township shall cause to be recorded in the appropriate Register of Deeds Office, a sworn statement showing the total costs and fees incurred by the Township to remove/eliminate/abate the violation, the date any work was done, and the location of the property. The sworn statement shall constitute a lien on the subject property which shall remain in full force and effect for the amount due in principal and interest, plus any court costs for collection, until final payment has been made. The Township may also take action to obtain a lien on any other real or personal property located in the State of Michigan, in which the owner of the violative property has an interest. Said lien(s), costs, fees and

expenses shall be collected in the manner fixed by law for the collection of general property taxes. The Township may also commence a civil action against the property owner/occupant for seeking to collect any monies owed. In the civil action contemplated in the preceding sentence, the property owner/occupant shall be liable for the entirety of the attorney's fees and costs incurred by the Township, regardless of the result of the civil action. Any lien described herein be collected and treated in the same manner as provided for property tax liens under the general property tax act, Public Act 206 of the Michigan Public Acts of 1983, as amended, being Section 211.1 et seq., of the Michigan Compiled Laws.

Any violation of this Ordinance or any failure to comply with the provisions of this Ordinance on the first offense shall be deemed a municipal civil infraction punishable by a fine of \$50. Any violation of this Ordinance or any failure to comply with the provisions of this Ordinance on the second offense shall be deemed a municipal civil infraction punishable by a fine of \$100. In addition to the civil fine provided in this ordinance, the Township shall also recover the entirety of its costs, including all direct and indirect expenses to which the Township has incurred in connection with the violation, including but not limited to all costs and attorney's fees incurred by the Township in connection with the Ordinance violation. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law.

Any subsequent violation of, or any failure to comply with the provisions of, this Ordinance shall be deemed a misdemeanor and shall be punishable by a fine not to exceed \$500 or by imprisonment not to exceed 90 days or both. Each day that a violation of this Ordinance is continued or permitted to exist without compliance shall constitute a separate offense punishable, upon conviction, in the manner prescribed in this section; provided, no person shall be imprisoned for a single, but continuing violation of this Ordinance for a period of longer than 90 days. In addition to the civil fine provided in this ordinance, the Township shall also recover the entirety of its costs, including all direct and indirect expenses to which the Township has incurred in connection with the violation, including but not limited to all costs and attorney's fees incurred by the Township in connection with the Ordinance violation. A violator of this ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law.

The Township Board shall be vested with discretion to determine a greater or lesser fee that may be applicable to a given violation(s).

#### Section 7. Separate Violation

Each day that a violation under this Ordinance continues to exist shall be considered a separate violation subject to the penalties hereinafter set forth.

#### Section 8. Threat to Health, Safety or Welfare of the Community

If the Township Code Enforcement officer determines that a situation causes or will cause an immediate, imminent and/or impending threat to the health, safety and welfare of the community, or if the condition which causes the violation of this ordinance is not corrected within 90 days of the first notice of violation, then the Township may proceed to abate, remediate or otherwise eliminate the offending condition and may assess all costs incurred by the Township, including attorney's fees and other costs, against the real property (and any other real property in the State of Michigan owned by the subject property owner). The Township shall have a lien for the costs which it incurs against the real property on which the offending condition existed, as described herein. This lien for costs shall be collected and treated in the same manner as provided for property tax liens under the general

property tax act, Public Act 206 of the Michigan Public Acts of 1983, as amended, being Section 211.1 et seq. of the Michigan Compiled Laws.

#### Section 9. Inconsistent Ordinances:

All other Ordinances of the Township inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, superseded by this Ordinance. Provided, however, said repeal shall not abate any action now pending under or by virtue of the Ordinance or any parts thereof herein repealed, nor shall said repeal discontinue, abate, modify, or alter any penalty accrued or to occur or affect the rights of any person, firm or corporation, or waive any rights of this Township under any section or provision of the Ordinance, or any part thereof, herein, repealed existing at the time of the passage of this Ordinance.

#### Section 10. Invalidity:

If any section, paragraph, sentence, clause, phrase or part of this Ordinance shall be declared invalid for any reason whatsoever, such 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 to be severable. The Township Board hereby declares that it would have enacted and adopted this Ordinance without the provision(s) or part(s) thereof that have been deemed invalid.

#### Section 11. Publication:

The Chesaning Township Clerk is hereby directed to forthwith cause publication of this Ordinance, or a legally-permitted summary, as required by law.

#### Section 12. Pending Proceedings Not Affected

Nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes

of action acquired or existing, under any act or ordinance hereby repealed as cited in Section XIII of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 13. Repeal


All ordinances of the Township of Chesaning inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 14. Effective Date:

This Ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect 30 days following publication as required by law following adoption by the Township Board.

This Ordinance is hereby declared to have been adopted by the Township of Chesaning Board of Trustees, County of Saginaw, State of Michigan, at a regular meeting held on the 10th day of July, 2025 and ordered to be given publication in the manner

prescribed by law.

  
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Joe Ruthig, Supervisor

  
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Daniel Himstedt, Clerk

Date of Publication: July 20, 2025

Newspaper: Tri-County Citizen

CERTIFICATION

ADOPTED

YEAS: Tomac, Mrdeza, Gross, Himstedt, Carlton, Ruthig,

NAYS: None

ABSENT: Hornak

State of Michigan, County of Saginaw,

I the undersigned Township Clerk for the Township of Chesaning, Saginaw County, Michigan, certify that the above Ordinance No. 2025-003 adopted by the Township of Chesaning Board of Trustees on the 10th day of July 2025, was recorded in full in the Minutes of the Meeting of the Township Board of Trustees on said date. It was signed by the Supervisor and Clerk of the Township.

Dated: July 10th, 2025



Daniel Himstedt, Clerk