

Ordinance No. 25-2
VILLAGE OF PAW PAW
VAN BUREN COUNTY, MICHIGAN
ANTI-BLIGHT ORDINANCE

An ordinance to further the public health, peace, safety and environmental quality of the Village of Paw Paw by the prevention, reduction or elimination of blight, blighting factors or causes of blight within the Village of Paw Paw, Van Buren County, Michigan, to repeal any conflicting ordinances, and to provide penalties for the violation thereof.

VILLAGE OF PAW PAW
VAN BUREN COUNTY, MICHIGAN

ORDAINS:

SECTION I
AMENDMENT TO ARTICLE II OF THE VILLAGE
CODE OF ORDINANCES

This section amends Article II of the Village of Paw Paw's Code of Ordinances to replace the existing the language in its entirety to read as follows:

Sec. 12-31. Purpose.

Consistent with the letter and spirit of Public Act 344 of 1945 (MCL 125.71 et sec.), as amended, it is the purpose of this Ordinance to prevent, reduce or eliminate blight or potential blight in the Village of Paw Paw 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 Village.

Section 12-32. Title.

This Ordinance shall be known as the "Village of Paw Paw Blight Ordinance."

Section 12-33. Causes of Blight and 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 areas in the Village. 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 the Village of Paw Paw owned, leased, rented, used or occupied by such person, firm or corporation, all of which are declared a public nuisance:

1. In any area within the Village, including upon any public or private right-of-way or street or other public property, the parking, storage, abandonment, discarding or permitting to remain on premises of any inoperable, wrecked or partially dismantled motor vehicle or a part of motor vehicle. The absence of a current license plate or the growing of vegetation up and/or around the vehicle shall be prima facia evidence that the vehicle is inoperable. This section shall not apply to a motor vehicle or part thereof which is entirely enclosed in a building, which is on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise, or which is lawfully operated as a junkyard, licensed under Village ordinances.
2. In any area within the Village, the storage or accumulation of junk, trash, rubbish or refuse of any kind without a landfill permit, except domestic refuse stored in such a manner as not to create a nuisance. The term "junk" shall include, but is not limited to, parts of machinery, used stoves or other appliances stored in the open, remnants of woods, metal or any other material or other cast-off material of any kind whether or not the same could be put to any reasonable use.
3. In any area within the Village, the existence of any structure or part of any structure which, because of fire, wind or other natural disaster, or physical deterioration is no longer habitable, if a dwelling, nor useful for any other purpose for which it may have been intended.
4. In any area within the Village, the existence of any vacant dwelling, garage, or other outbuilding unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals or other unauthorized persons.
5. In any area within the Village, the existence of any partially completed structured unless such structure is in the course of construction in accordance with a valid building permit issued by the Village and unless such construction is completed within time allowed by the permit or any express extension thereof.

Sec. 12-35. Enforcement, Violation, and Penalty.

This Ordinance shall be enforced by the Village of Paw Paw Ordinance Enforcement Officer or by such other person or persons as may be designated by the Village of Paw Paw Village Counsel.

Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil

infraction as defined by Michigan Statute which shall be punishable by a civil fine determined in accordance with the following schedule:

1st Offense within 3-year period:	\$ 75.00	\$500.00
2nd Offense within 3-year period:	\$150.00	\$500.00
3rd Offense within 3-year period:	\$325.00	\$500.00
4th or More Offense within 3-year period:	\$500.00	

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which the Village of Paw Paw has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10.00 nor more than \$500.00 be ordered. In addition, the Village shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

SECTION II

REPEAL OF ARTICLE III TITLED COMMERCIAL AND INDUSTRIAL BLIGHT OF THE VILLAGE OF PAW PAW CODE OF ORDINANCES

This section repeals the language contained in Article III of the Village Code of Ordinances, and reserves it for future use.

ARTICLE III

REPEAL

All ordinances, or parts of ordinances in conflict herewith, are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

ARTICLE IV

SEVERABILITY

The separate provisions of this ordinance are hereby declared to be severable and if any provision or section of this Ordinance is declared unconstitutional by a court of competent jurisdiction, the remaining provisions and sections of said Ordinance shall remain in full force and effect.

ARTICLE V
EFFECTIVE DATE

This Ordinance shall become effective 30 days after publication, after adoption.

Roman Plaszczak, President
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