

EXHIBIT A

TOWNSHIP OF ELMWOOD

ORDINANCE AMENDING ORDINANCE NO. 101 BLIGHT ORDINANCE

An ordinance to protect the public health, safety and general welfare by eliminating blight within Elmwood Township; to define and prohibit blight; and to provide penalties for violation hereof.

THE TOWNSHIP OF ELMWOOD ORDAINS:

Section 1. Amendment of Blight Ordinance.

Ordinance No. 101 "Blight Ordinance" is hereby amended to read, in its entirety, as follows

ARTICLE I

Blight Defined and Prohibited

Section 1.1. It is hereby determined that the activities described in this Article constitute blight which, if allowed to exist, will result in unsafe, unsanitary and undesirable conditions.

Section 1.2. No person shall maintain or permit to be maintained any of the following types of blight upon any premises owned, rented, or occupied by such person:

(a) The outdoor parking or storage of any junk motor vehicle. The term "junk motor vehicle" shall include any motor vehicle which is not currently licensed, or which has been inoperable for any reason for a period in excess of thirty (30) days.

(b) The storage or accumulation of garbage of any kind, except domestic refuse originating on the premises and stored in a sanitary manner for a period not to exceed fourteen (14) days. The term "garbage" shall include food waste matter and discarded food containers, as well as any other household refuse. Dumpsters and other large garbage containers shall be stored on the property served for not more than 30 (thirty) days. Domestic dumpsters and other large garbage containers shall be limited in capacity to 120 gallons.

(c) The outdoor storage or accumulation of junk. The term "junk" shall include machinery parts, tires, containers, motor vehicle parts, mobile home components, tin cans, unused appliances, metal remnants, cast-off materials, scrap, rubbish, discarded paper products, unused furniture, inoperable equipment, discarded building materials, and any inoperable or discarded machinery or materials.

(d) The outdoor storage of mobile homes (other than those actually used and occupied for dwelling purposes as permitted under Township ordinances), truck bodies, bus bodies, or semi-trailers, either as vacant units or storage units.

(e) The dumping or landfilling of any junk, garbage, or junk motor vehicles. The term "dumping or landfilling" shall include burying or otherwise disposing of items on property not licensed as a landfill pursuant to the Michigan Solid Waste Management Act.

Section 1.3. This Ordinance shall not apply to junkyards or salvage yards which have been granted special approval pursuant to the Elmwood Township Zoning Ordinance.

ARTICLE II

Penalties and Enforcement

Section 2.1. Any person, firm, or corporation, or anyone acting in behalf of said person, firm or corporation, who shall violate any of the provisions of this Ordinance, is responsible for a municipal civil infraction, subject to the Township's Civil Infraction Ordinance and payment of a civil fine of not less than \$50.00, plus the costs of prosecution, and other orders and sanctions which may be imposed for each infraction. Repeat offenses under this ordinance may be subject to increased fines. Each day such violation continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

Section 2.2. The foregoing sanctions shall not prohibit the Township from seeking injunctive relief against a violator for abatement of blight or such other relief or remedy as may be available at law or in equity.

Section 2.3. Any violation of this ordinance shall constitute a public nuisance.

Section 2.4. Any person found responsible for blight shall eliminate such blight and shall be liable for the cost of elimination of the blight. If such blight is not eliminated by the responsible party, the Township may cause such blight to be eliminated and bill the cost, including all expenses, court costs and attorney fees, to the responsible party. Such costs, if not voluntarily paid for by the responsible party, shall be assessed against the property on the next tax roll.

Section 2. Validity and Severability.

If any Section, paragraph, clause or provision of this Ordinance is, for any reason, held to be invalid or unconstitutional, the invalidity or unconstitutionality of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 3. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date.

This Ordinance shall take effect thirty (30) days following publication thereof as provided by law.