

TOWNSHIP OF MANCHESTER

ORDINANCE NO. 19

AN ORDINANCE TO PROHIBIT THE STORING OF JUNK, OLD METAL, OLD AUTO BODIES, TRACTORS, JUNK CARS, FARM MACHINERY, HOUSEHOLD APPLIANCES AND OTHER DISCARDED AND/OR UNUSED PERSONAL PROPERTY IN AN OPEN LOT OR FIELD IN THE TOWNSHIP OF MANCHESTER, WASHTENAW COUNTY, MICHIGAN, AND TO PROVIDE PENALTIES FOR VIOLATION THEREOF.

THE TOWNSHIP OF MANCHESTER ORDAINS:

Section 1. Inasmuch as old discarded and non-operating cars, car parts, tractors, machinery, household appliances, old iron debris and other unsightly junk, if allowed to remain in the open, is dangerous to the health of the Township in that it allows weeds, high grass and brush to grow up around it in which rats and other rodents frequent, and is dangerous to the safety of the citizens in that it is an attractive nuisance to children from which children can receive serious injury or possible suffocation and in that it creates a fire hazard because of the dead grass and weeds around and is detrimental to the general welfare of the Township of Manchester in that it adversely affects the value of the adjoining properties and detracts from the general appearance of the Township, therefore, the storing thereof in an open field, lot or part of lot in the Township of Manchester is hereby declared to be a public nuisance.

Section 2. An open field, lot or part of lot is hereby defined for the purpose of this ordinance as any field, lot or part of lot which is not enclosed with a building or a non-combustible fence at least eight (8) feet high so constructed and maintained that rats, mice and other rodents cannot enter or leave and so constructed as to prevent children from entering, and so constructed as to prevent lighted cigarettes, cigar butts or other burning objects from being tossed into said field, lot or part of lot.

Section 3. It shall be unlawful for any owner, occupant, possessor or any person having control of any open lot, field or open part thereof to allow any old auto bodies, old cars, auto parts, farm machinery, equipment, household appliances or other old metal, debris or other personal property that because of the age, wear and tear, lack of repair or other causes is no longer usable as such in its then condition to be stored or remain in any such open lot, field or open part of either for a period of more than thirty (30) days.

Section 4. Upon complaint from any person of any violation of section 3 of this ordinance, a Township Constable shall make an investigation thereof and if it is found that any of the items mentioned in section 1 hereof have been stored, placed or allowed

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to remain in any open lot, field or open part of either in the Township of Manchester for a period of more than thirty (30) days, said constable shall serve upon said owner, occupant, possessor or person having control thereof a written notice to remove the same therefrom within ten (10) days after receipt of said notice; said notice may be served personally or by certified mail with return receipt requested.

Section 5. Any person believing that the notice is not proper or that the removal of said items within ten (10) days would be an undue hardship or who is aggrieved otherwise may appeal to the Township Board of the Township of Manchester by leaving a written claim of appeal stating his reasons for appeal with the Township Clerk within said ten (10) days.

Section 6. Said appeal shall be heard by the Township Board at the next regular meeting thereof and said appellant shall appear before the Township Board and show cause, if any, he has, supporting his appeal. Any official of the Township or any resident may also appear and present any facts they have regarding the matter.

Section 7. After hearing the facts so presented the Township Board may uphold the notice as given or may extend the time for removal of the items or may set aside the notice entirely in accordance with the proofs so presented.

Section 8. If a notice be upheld by the Township Board, the appellant shall have ten (10) days thereafter, or such additional time as granted by said Board. in which to so remove said items.

Section 9. Any person who shall fail, refuse or neglect to so remove said items within ten (10) days after said notice is so served upon him, or within ten (10) days after the decision on the appeal if any appeal is taken and the notice is upheld, or within such additional time as may be granted by the Township Board on said appeal, then said person shall be subject to a fine of not more than \$50.00 or imprisonment of more than thirty (30) days, or both, for a first offense. For a second or subsequent offense charged as such, said person shall be subject to a fine of not less than \$50.00 or more than \$100.00 or by imprisonment of not less than ninety (90) days or both, at the discretion of the Court.

Section 10. This ordinance shall not apply to a junk yard duly licensed.

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Section 11. This ordinance shall become effective thirty (30) days after the date of its publication.

Section 12. Made and passed by the Manchester Township Board at a regular meeting thereof on *August 13, 1979*.

Wilma Lentz

Wilma Lentz, Township Clerk.

I, Wilma Lentz, Clerk of the Township of Manchester, Washtenaw County, Michigan hereby certify that the foregoing ordinance of Manchester Township was duly adopted by the Township Board of Manchester Township at a regular meeting of said Board held August 13, 1979. I further certify that Board members Burch, Fielder, Lentz and Widmayer voted for the adoption of said ordinance and none (Macomber, absent) voted against adoption and that the same was duly printed and published on the 22 day of August, 1979 in the Manchester Enterprise, a newspaper circulated in the Township of Manchester, Washtenaw County, Michigan.

Wilma Lentz

Wilma Lentz