

Village of Luther

July 1, 2023

Attention Village of Luther Resident/Property Owner:

This notice is to advise you of Ordinance #3 adopted and recorded by the Village of Luther board on August 11, 2020. This Ordinance is to prevent, reduce and eliminate blight or potential blight in the Village of Luther.

Please find attached to this notice a copy of the printed ordinance.

The Village Board would like to give everyone ample time to come into compliance with the ordinance before taking further action. We have hired a professional to ensure that all properties in the Village limits follow and/or comply with the ordinance. The professional will be surveying all properties in the Village limits immediately.

Our hope and intent is to "clean up" the Village and make it a safe and enjoyable place to visit and reside. Let us all work together to make this possible.

All questions, comments or concerns can be directed to the Village of Luther council at P.O. Box 9; Luther, MI 49656 or by attending any regularly scheduled council meeting. Upcoming meeting dates are as follows:

July 11th, August 8th, September 12th, October 10th, November 14th, December 12th. All meetings begin at 7 p.m.

Thank you for your attention to this matter.



Village of Luther Village Council
Dennis Karczynski, Village Clerk

VILLAGE OF LUTHER
COUNTY OF LAKE, MICHIGAN

Minutes of a regular meeting of the Village Council of the Village of Luther, County of Lake, Michigan, held in the Village Hall, 301 State Street, Luther, Michigan, on the 11th day of August 2020, at 7:00 p.m., local time.

PRESENT: Members: Sherry Sheele, Brittany Carlson, Marsha Rives, Joe Taylor, Gypsy Pelton, Connie Holmes, Giles Naeseth, Felisa Wert, Linda Hoover.

ABSENT: None

It was moved by Member Pelton and supported by Member Holmes that the following Ordinance be adopted under the authority of the General Law Village Act, Act 3 of the Public Acts of Michigan of 1895, as amended.

ORDINANCE NO. 3

AN ORDINANCE TO PREVENT, REDUCE AND ELIMINATE BLIGHT OR POTENTIAL BLIGHT IN THE VILLAGE OF LUTHER AND MATTERS RELATED THERETO

THE VILLAGE OF LUTHER HEREBY ORDAINS:

SECTION 1. Title. This ordinance shall be known and may be cited as the Village of Luther Blight Ordinance.

SECTION 2. Purpose. Consistent with the letter and spirit of Public Act 344 of 1945 of the Public Acts of the State of Michigan, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in the Village of Luther by prevention or elimination of certain environmental causes of blight or blighting factors which exist, or which may in the future exist in the Village.

SECTION 3. Causes of Blight or 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 neighborhoods. 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 owned, leased, rented or occupied by such person, firm or corporation:

- (a) The storage upon any property for more than thirty (30) days of junk vehicles, except in a completely enclosed building. For the purpose of this ordinance, the term "junk vehicles" shall include any motor vehicle which is not licensed for use upon the highways of the State of Michigan, and shall also include, whether so licensed or not, any motor vehicle which is inoperative. This section shall not apply to junk vehicles stored within a salvage yard surrounded by a solid seven (7) foot high fence which screens materials from outside view, or junk vehicles stored on the premises of a commercial repair establishment for not more than thirty (30) days.
- (b) The storage upon any property of construction or building materials unless there is in force a valid building permit issued by Lake County for construction upon said property and said

materials are intended for use in connection with such construction. Building materials shall include but not limited to lumber, bricks, concrete 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 any structure.

- (c) The storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed fifteen (15) days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, furniture, mattresses, box springs, kitchenware, electronics, remnants of woods, metal, or any other material or other cast-off material or any kind whether the same could be put to any reasonable use. This section does not apply to junk, trash, rubbish or refuse stored on land or in a place designated by the Village as a licensed junkyard.
- (d) 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, not useful for any other purpose of which it may have been intended.
- (e) The existence of any vacant dwelling, garage or other out-building unless such building is kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals, or other unauthorized persons.
- (f) The existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by Lake County and unless such construction is completed within reasonable time.

SECTION 4. Privacy Fences. Section 3 of this Ordinance shall not apply to items and material stored or accumulated behind a privacy fence which completely screens the materials from outside view.

SECTION 5. Grass and Weeds. No person owning, leasing or occupying any premises shall permit or maintain on any such premises any growth of grass, noxious weeds, or other rank vegetation to a height greater than sixteen (16) inches on average, nor any accumulation of dead weeds, grass or brush.

- (a) It is the duty of every owner, occupant, or lessee of any land within the Village to cut down and destroy all tall grass, noxious weeds, and other rank vegetation higher than sixteen (16) inches that are found growing upon any lands owned, occupied, or leased by them within 200 feet of any road right-of-way.

SECTION 6. Enforcement and Penalties.

- (a) This ordinance shall be administered and enforced by the Village President, or by such other person(s) as designated by resolution of the Village Council from time to time.
- (b) The owner, if possible, and the occupant or lessee of any property upon which any of the causes of blight or blighting factors set forth in Section 3 or any grass or weed violation as set forth in Section 5 hereof is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within fifteen (15) days after service of the notice upon him. Such notice may be served personally or by certified mail, return receipt requested. Additional time may be granted by the Village

where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

- (c) Failure to comply with such notice within the time allowed by the owner, occupant, and/or lessee shall constitute a violation of this ordinance.
- (d) A violation of this ordinance is a municipal civil infraction, for which the fines shall be not less than \$50.00 for the first violation and not less than \$150.00 for a subsequent violation, and in addition to all other costs and expenses provided by law. For purposes of this subsection, a subsequent offense means a violation of the provisions of this ordinance committed by the same person within ninety (90) days of a previous violation of the same provision for which the person admitted responsibility or was determined to be responsible.
- (e) Each day during which any violation continues shall be deemed a separate offense.
- (f) In addition, any violation of this ordinance shall constitute a public nuisance, and the Village may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be permitted by law, including costs and attorney's fees.

SECTION 7. SEVERABILITY. In the event that any section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other articles, sections or provisions of this ordinance, except so far as the article, section or portion so declared invalid shall be inseparable from the remainder of any portion thereof.

SECTION 8. Publication; Effective Date. This Ordinance shall become effective upon its publication or upon the publication of a summary of its provisions in a local newspaper of general circulation in the Village.

SECTION 9. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed and of no force and effect.

AYES: Members: Pelton, Holmes, Taylor, Naeseth, Wert, Hoover, Sheele

NAYS: None

ABSTAIN: None

Passed and adopted by the Village of Luther on August 11, 2020.