

**COHOCTAH TOWNSHIP
ORDINANCE NO. _____
NUISANCE ORDINANCE**

Adopted: _____
Published: _____
Effective: _____

The Township of Cohoctah ordains:

Section 1. Title.

This Ordinance is to be known and may be cited as the Cohoctah Township Nuisance Ordinance.

Section 2. Purpose.

The purpose of this Ordinance is to protect the public health, safety, and general welfare by preventing, reducing, and eliminating blight and other unsafe, unsanitary, or detrimental conditions within the Township.

Section 3. Definitions.

The following definitions apply to this Ordinance.

- A. "Building, construction, or landscaping materials" means and includes, but is 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, fence posts and fencing material of either wood or metal, trees, shrubs, plants, sod or any other materials used in constructing any structure, fence or landscape.
- B. "Junk" means discarded, dismantled, broken, deteriorated, or inoperable machinery, equipment, appliances, furniture, vehicle parts, scrap metal, or similar materials that are not being used for their originally intended purpose and that are stored outdoors.
- C. "Junk vehicles" means a motor vehicle, recreational vehicle, watercraft, or trailer that has remained outdoors on the same premises for more than 30 consecutive days and that:
 - 1. is extensively dismantled, wrecked, or incapable of lawful operation for its intended transportation purpose;
 - 2. lacks an engine, transmission, wheels, or other component necessary for operation;
or
 - 3. is required by law to be registered but does not display a current registration or license plate.

The term does not include a vehicle stored entirely within an enclosed lawful building or held as lawful inventory by a licensed vehicle dealer, repair facility, or salvage business.

- D. “Person” means an individual, partnership, corporation, limited liability company, association, trust, estate, governmental entity, or any other legal entity, and includes the officers, employees, agents, or representatives of such entity.
- E. “Refuse” means discarded or unwanted matter.
- F. “Rubbish” means any solid waste that arises from homes or commercial establishments that does not contain any food waste or ashes.
- G. “Trash” means domestic and commercial garbage of any kind.

Section 4. Prohibited Conditions.

The following conditions are prohibited and constitute violations of this Ordinance. A person who owns, occupies, possesses, or controls premises within the Township shall not create, maintain, or permit any prohibited condition on those premises.

- A. Other than a lawful junk yard or in connection with the lawful business of a repair or service garage, the storage upon any premises of junk vehicles.
- B. The outdoor storage of any building, construction, or landscaping materials unless:
 - 1. The materials are intended for use in connection with a lawful construction or landscaping project on the premises, all permits required by law have been obtained, and the materials are incorporated into the project within 90 days after delivery, unless the Township grants a written extension for good cause; or
 - 2. The materials are lawfully kept as inventory offered for sale in connection with a permitted business and are stored in accordance with an approved site plan and all other applicable requirements.
- C. Except within a lawful junkyard, the outdoor storage or accumulation of junk or waste, other than ordinary household waste temporarily stored in durable, covered, and leakproof containers pending regularly scheduled collection, provided that the storage does not attract animals or vermin, create offensive odors, or otherwise endanger public health or safety.
- D. A structure or portion of a structure that, because of fire, wind, natural disaster, structural failure, or physical deterioration, is unsafe, unsecured, or unfit for its lawful occupancy or use.
- E. A vacant dwelling, commercial building, garage, or other outbuilding that is not maintained in a weather-tight, structurally sound, and secure condition. Doors, windows, and other openings must be secured against unauthorized entry. Boarding must be installed neatly, maintained in good repair, and, where reasonably practicable, painted or finished to be

compatible with the exterior of the structure. A structure that remains boarded for more than six months is presumed to violate this subsection unless the owner demonstrates that the structure is being actively repaired, marketed, rehabilitated, or maintained in accordance with a written plan approved by the Township.

- F. Any partially completed structure unless such structure is in the course of construction in accordance with a valid building permit, and unless such construction is completed within one year. The Township may grant a written extension upon a showing of good cause, including substantial construction progress, circumstances reasonably beyond the responsible person's control, and the absence of an immediate threat to public health or safety.

Section 5. International Property Maintenance Code

- A. Adopted. The most recent edition of the International Property Maintenance Code published by the International Code Council, together with all amendments, supplements, and successor editions published after the effective date of this Ordinance, is adopted and incorporated by reference as if fully set forth herein. Upon publication of a new edition, amendment, or supplement by the International Code Council, that edition, amendment, or supplement automatically supersedes the previously adopted provisions and becomes effective within the Township without further action by the Township Board.
- B. Copy of Code. At least one copy of the edition currently in effect must be maintained in the office of the Township Clerk and made available for public inspection during regular business hours.
- C. Property-Maintenance Standards Only. The Code is adopted solely to establish minimum property-maintenance standards for existing structures and premises. It must not be interpreted or enforced to establish construction requirements that conflict with or are preempted by Michigan law.
- D. Violation of Code. A violation of any provision of the International Property Maintenance Code adopted by reference in this Ordinance is deemed a violation of this Ordinance. Any person who violates or fails to comply with a provision of the International Property Maintenance Code is responsible for a municipal civil infraction and is subject to all penalties, remedies, and enforcement procedures provided by this Ordinance.
- E. Local Amendments. The following standards modify those of the International Property Maintenance Code and control:
 - a. Premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches.
 - b. Insect screens are required from May 1 to October 1.

Section 6. Penalties; Enforcement.

- A. Municipal Civil Infraction. A person who creates, maintains, or permits a condition prohibited by this Ordinance, or who violates or fails to comply with any other provision of this Ordinance, is responsible for a municipal civil infraction. A violation exists when the prohibited condition, act, or omission exists.
- B. Enforcement Officials. This Ordinance may be enforced by the Township Code Enforcement Officer or any other person authorized by the Township Board to enforce Township ordinances.
- C. Corrective Notice. Before commencing an enforcement action, the Township will ordinarily provide the responsible person with written corrective notice. Corrective notice is not a prerequisite to the existence of a violation or to enforcement and is not required under subsection F. The contents of a corrective notice will indicate:
1. The property upon which the violation exists;
 2. The nature of the prohibited condition and the section of this Ordinance violated;
 3. The corrective action required;
 4. The time permitted for correction; and
 5. The potential consequences of failing to correct the violation.

The corrective period must be reasonable in light of the nature and severity of the violation. Unless a shorter period is authorized by this Ordinance or applicable law, the notice must provide at least ten days after service for correction. The enforcement official may grant a written extension for good cause.

- D. Service of Corrective Notice. The corrective notice may be served by personal delivery or by first-class mail to the owner at the address shown on the Township's most recent tax assessment records and, if different, to the occupant at the premises.
- E. Exceptions to Corrective Notice. Corrective notice is not required before commencing an enforcement action when:
1. The prohibited condition presents an imminent threat to public health, safety, or welfare;
 2. Immediate enforcement or other action is authorized by this Ordinance or applicable law; or
 3. The same person has previously received notice concerning the same continuing or recurring prohibited condition.
- F. Corrective Notice Distinguished from Citation. A corrective notice is not a municipal civil-infraction citation and does not commence a municipal civil infraction action. A municipal civil infraction action may be commenced through issuance and service of a citation by an

authorized Township official in accordance with Chapter 87 of the Revised Judicature Act, MCL 600.8701 et seq., and any applicable Township ordinance.

- G. Continuing Violations. Each day that a violation continues constitutes a separate municipal civil infraction.
- H. Penalties. A person determined responsible for a municipal civil infraction under this Ordinance is subject to the civil fines, costs, damages, expenses, sanctions, and remedies authorized by Chapter 87 of the Revised Judicature Act, MCL 600.8701 et seq., and the Township's Municipal Civil Infraction Ordinance.
- I. Other Remedies. In addition to pursuing a municipal civil infraction action, the Township may seek injunctive relief, abatement, or any other remedy authorized by law. The imposition of a civil fine or other sanction does not relieve a person of the obligation to correct the violation.

Section 7. Severability.

If any provision of this Ordinance is declared invalid for any reason, that declaration does not affect the validity of all other sections of this Ordinance.

Section 8. Repealer.

This Ordinance expressly repeals all township ordinances and parts of ordinances in conflict with this Ordinance.

Section 9. Effective Date.

This Ordinance takes effect 30 days after publication of this Ordinance or of a summary of it as permitted by law.

ADOPTED.

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
) ss
COUNTY OF LIVINGSTON)

Clerk's Certification

I, Barb Fear, the duly elected, qualified and acting Clerk of the Township of Cohoctah, Livingston County, certify that the above Ordinance was adopted at a regular meeting of the Cohoctah Township Board held at the Cohoctah Township Office, on the ____ day of _____, 2026, by a majority of the members of the Board elected and serving.

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Barb Fear
Cohoctah Township Clerk