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Memorandum

TO: City of Hartford Planning Commission
FROM: Hillary Taylor, NCI, Senior Planner
SUBJECT: Blight Ordinance – Overview and Draft Ordinance Language
DATE: October 20, 2025

This memo provides an overview of how municipal blight ordinances function and their relationship to zoning and code enforcement. In most communities, blight regulations are established under a municipality's police power authority and codified within the general code of ordinances (hosted online by MuniCode for the City of Hartford), rather than the zoning ordinance itself. The zoning ordinance typically references the blight ordinance where applicable but does not duplicate its provisions.

LEGAL CONTEXT AND PURPOSE

The purpose of a blight ordinance is to prevent and reduce conditions that contribute to property deterioration or pose a risk to the public welfare. Commonly regulated conditions include:

- Abandoned, unsafe, or uninhabitable buildings
- Broken windows, collapsing roofs, or exposed structural components
- Accumulations of refuse, debris, or waste
- Overgrown vegetation and unmaintained yards
- Unsecured vacant structures or sites that invite trespass or illegal dumping

Blight regulations and zoning regulations serve complementary but distinct purposes, each grounded in a separate legal authority.

A blight ordinance is adopted under a municipality's general police power, as granted by the Michigan Constitution and state statutes. It applies throughout the township, regardless of zoning district, and focuses on the condition and maintenance of property. Blight ordinances are typically codified within the *general code of ordinances* (such as Municode) and enforced by code enforcement or building inspection staff through citations, civil infractions, or court proceedings.

A zoning ordinance, by contrast, is adopted under the Michigan Zoning Enabling Act (MCL 125.3101 et seq.) and governs how land is used and developed. Junk ordinances, for example, usually fall within the zoning ordinance and regulate the storage of materials such as scrap, debris, or inoperable vehicles within specific districts. Zoning enforcement is handled administratively—often involving notices, hearings, or appeals—and applies to land-use compliance rather than property upkeep.

Together, these ordinances maintain community standards from two angles: zoning ensures orderly land use and compatible development, while blight enforcement preserves safe, well-maintained conditions over time. The zoning ordinance may cross-reference the blight ordinance to clarify jurisdiction and avoid redundancy, ensuring that both tools operate in tandem without conflict.

GRAND RAPIDS

124 East Fulton Street
6th Floor, Suite B
Grand Rapids, Michigan 49503

O 616.226.6375
F 248.596.0930
MCKA.COM

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ADOPTION PROCESSES

Blight and zoning ordinances follow distinct adoption procedures reflecting their separate legal bases. A blight ordinance, adopted under the City's general police power, is introduced to the City Council, noticed for public comment, and adopted through the City's standard ordinance procedure.

A zoning ordinance, adopted under the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), requires a Planning Commission public hearing with at least 15 days' notice, after which the Commission recommends action to the City Council. The Council then conducts final review and adopts the ordinance by majority vote, followed by publication of the ordinance and its effective date.

While ultimate adoption authority lies with the City Council, Planning Commission involvement is required only for zoning matters. Because a blight ordinance is not a zoning matter, its review and adoption are handled primarily by the City Council in a process separate from the Zoning Ordinance adoption.

DRAFT LANGUAGE OVERVIEW

The proposed blight ordinance is intended to prevent and address property deterioration and neglect that threaten public health, safety, and neighborhood character. It requires the maintenance of blighted or vacant structures and requires all property owners to keep exterior areas clean, sanitary, and free of debris, hazards, and junk. Additional standards limit how long materials, equipment, or scaffolding can remain on-site and prohibit the outdoor storage of junk vehicles in residential areas.

Vacant blighted structures must be registered with the City and are subject to periodic inspection and a tiered monitoring system, with administrative fees based on the severity and duration of violations. Unpaid fees become property liens, and repeated or uncorrected violations can lead to fines or misdemeanor charges. Overall, the ordinance provides a clear, enforceable framework for maintaining community appearance and safety while holding property owners accountable for timely repairs and upkeep.

See below the full draft ordinance language we propose the City adopts into the general code of ordinances. The zoning ordinance will be updated where necessary to refer to this new language.

DRAFT LANGUAGE

Blighted structures or buildings prohibited.

It shall be unlawful for any person to keep or maintain any blighted and/or vacant structure, building, dwelling, garage, outbuilding, factory, shop, store or warehouse in the City.

Blighted exterior and maintenance requirement of property.

It shall be unlawful for any person to fail to improve and maintain all property under the person's control so as to comply with the following minimum requirements:

- A. All exterior property areas shall be properly maintained in a clean and sanitary condition, free from debris, brush, severed tree limbs, junk, rubbish, physical hazards, rodent harborage and infestation.
- B. All stored firewood shall be in neat, orderly stacks, unless shielded from view from all adjoining properties.
- C. The storage and accumulation of any building material shall only be for a period that is reasonably necessary for the future use of such materials, which shall in no event be longer than 90 days. Building materials must be piled off the ground so as not to become a suitable environment for rats, rodents or similar vermin.
- D. In no case shall usable or unusable machinery, building materials, or other items be stored on



a permanent basis in a truck trailer or other type of trailer, with or without its wheels.

E. Yard or garage sales in which items are for sale to the public shall be no longer than seven calendar days within a ninety-day period.

F. Scaffolding may remain on a building only for a period that is reasonably necessary for the completion of the construction or maintenance activities for which it is erected, which shall in no event be longer than 90 days or the length of the related building permit, whichever is longer.

G. Heavy equipment or machinery in an area zoned residential shall not be stored on a property unless there is a related active building permit on the property.

H. In any area zoned for residential purposes, the storage upon any property of junk automobiles, except in a completely enclosed building.

Vacant blighted structures.

A. Duty to register. Every owner of vacant blighted structure shall register that structure by completing and filing with the City a vacant blighted structure registration form. The form shall require the name, address and telephone number of each owner; the date the home became vacant and the reasons for vacancy; plans, if any, to have the structure occupied; and any other information reasonably deemed necessary by the City. The duty to register shall not require notice by the City.

B. For purposes of this article, an "owner" shall be any person with a legal or equitable ownership interest in the structure.

Right to inspect vacant blighted structures.

The City may access the interior of a vacant blighted structure for the purpose of inspection in regard to health, safety and welfare if the structure meets the definition of "vacant blighted structure" found in Article 3. If necessary to effectuate this provision, the City may seek an administrative search warrant from a judge or magistrate.

Tiered classification of vacant blighted structures.

Each vacant blighted structure will be inspected and evaluated for placement in a monitoring tier.

A. Tier One: vacant with uncorrected exterior and interior violations. Monthly monitoring inspections are required. Monthly monitoring of Tier One properties is limited to 24 months. If violations remain unresolved, a municipal civil infraction citation will be issued, or court action pursued.

B. Tier Two: vacant with no exterior violations, but uncorrected interior violations. Monitoring inspections are required every six months. Monthly monitoring of Tier Two properties is limited to 36 months. If violations remain unresolved, a municipal civil infraction citation will be issued, or court action pursued.

Monthly or biannual administrative fee for vacant blighted structures.

A. The owner of a vacant blighted structure shall pay a vacant blighted structure monthly or biannual administrative fee depending on the qualifying tier of monitoring, the amount of which shall be established by City Commission resolution, for the period such structure remains a vacant blighted structure.

B. The City will provide a written invoice of the monthly or biannual administrative fee. The amount due for any month during which the status was less than the entire month or less than six months shall be prorated to reflect the period the structure was a vacant blighted structure.



C. Payment is due within 30 days from the date of the invoice. If the invoice is not paid, the City shall notify the City Assessor's Office, who will assess the unpaid amount against the property where the vacant blighted structure is located. The City may enforce the lien by placing the unpaid amount on the next tax roll of the City, the collection of which is enforceable in the same manner as delinquent taxes.

Vacant blighted structure status change.

The City may alter the tier status of a vacant blighted structure under the following circumstances:

A. Tier One to Tier Two: if all exterior deficiencies and/or violations are corrected with uncorrected interior violations remaining.

B. Removal from Tier One: if all interior and exterior deficiencies and/or violations are Corrected.

C. Removal from Tier Two: if all interior deficiencies and/or violations are corrected.

D. Reclassification to Tier One: If the exterior of a vacant blighted structure that was reclassified from Tier One to Tier Two again falls into disrepair, the structure shall be reclassified to Tier One.

E. In order for a change of status to be effective, the work performed on a vacant blighted structure must have the approval of the appropriate City inspector; that is for repairs that do not require a permit; for work that requires a permit to correct the violation, the applicable building/trades inspector responsible for that particular type of work must provide approval.

Violation; penalty.

A. A person who maintains a blighted structure, vacant or occupied, is responsible for a municipal civil infraction, the penalty for which is a minimum fine of \$200 plus costs as assessed by the court. If a person commits a second or subsequent violation occurring within six months of a previous violation for the same blighted structure, the minimum fine shall double from the minimum fine set for the previous violation.

B. A person who allows occupancy of a registered vacant blighted structure when violations remain uncorrected shall be guilty of a misdemeanor punishable by a fine not to exceed \$500 and/or jail not to exceed 90 days, plus costs as assessed by the court.

FEEDBACK REQUESTED

The structure and enforcement provisions of this draft ordinance can be further tailored to fit the Township's administrative framework. Please provide feedback on proposed language on the following points:

- How comfortable is the Commission with the City taking a proactive monitoring role (registration, tiered inspections, recurring fees)?
- Should repeat offenders face escalating enforcement measures, or is a uniform approach preferable?
- Is the City facing other blight related issues that are not addressed in the proposed ordinance?

Sincerely,

Hillary Taylor, NCI, Senior Planner

Ethan Senti, Assistant Planner