

ORDINANCE NO. 06-19**CITY OF HAZEL PARK
OAKLAND COUNTY, MICHIGAN****AN ORDINANCE TO AMEND TITLE 8, HEALTH AND SAFETY, CHAPTER 2,
ABANDONED AND VACANT STRUCTURES, SECTION 8.02.010, FINDINGS, TO
INCLUDE THE FINDINGS OF DETERIORATED OR DETERIORATING AREAS,
AND AMEND SECTION 8.02.020, DEFINITIONS, TO INCLUDE THE DEFINITION OF
DETERIORATED OR DETERIORATING AREAS****THE CITY OF HAZEL PARK ORDAINS:****PART I AMENDMENT.**

This Ordinance hereby amends Title 8, Health and Safety, Chapter 2, Findings, Section 8.01.010, to add the following language:

The city council determines that the presence of vacant and abandoned structures and deteriorated or deteriorating areas create an element of neighborhood and commercial blight. It is recognized that blight lowers property values, leads to deteriorating housing conditions and areas, which undermines the quality of neighborhood life, affects the public health, safety and general welfare and can also result in human injury and criminal activities. It is also determined that vacant and unoccupied structures and deteriorated or deteriorating areas occupy an inordinate amount of city administrative and ordinance enforcement resources. As such, the city council finds the prolonged presence of vacant and abandoned structures and deteriorated or deteriorating areas to be unacceptable to the citizens of Hazel Park.

This Ordinance hereby amends Title 8, Health and Safety, Chapter 2, Section 8.01.020, Definitions, to add the following language:

As used in this chapter:

(a) "Abandoned" residential or commercial structure means property which has become vacant or abandoned for a period of at least thirty (30) consecutive days, excluding those structures which have been registered as seasonal businesses or homes with the city clerk's office, and which also meets at least one of the following conditions;

- (i) "Residential structure" means any building which has been used or was intended for use as a residential dwelling, in whole or in part;
- (ii) "Commercial structure" means any building not defined herein as a residential structure;

(b) "Accessory building" means a subordinate structure on the same premises as the main residential structure, the use of which would be naturally and normally incidental to that of the main structure, whether the main structure is an abandoned residential structure or not, such as, by not limited to, a garage, barn or storage shed.

(c) "Deteriorated or deteriorating area(s)" means an area of not less than eight adjacent lots where at least 25% of the structures identified in the area, whether commercial or residential, contain one or more of the following characteristics:

- (i) Open to casual entry or trespass;
- (ii) Physical deterioration of buildings;
- (iii) Physical deterioration of the premises;
- (iv) Fire damage to an extent which prohibits safe human occupancy;
- (v) The site of loitering or vagrancy;
- (vi) Faulty lot layout relation to size, adequacy, accessibility or usefulness;
- (vii) Deterioration of site or other improvements;
- (viii) Demonstrates a lack of property maintenance and upkeep as evidenced by one or more violations of the Property Maintenance Code (Chapter 43) or State Construction Code;
- (ix) Abandonment of properties;
- (x) Building that has been deemed as unfit for human occupancy or is under a notice or legal order to vacate, or hearing officer notice that it is unfit for occupancy;
- (xi) Chronic high turnover or vacancy rates in commercial/industrial buildings;
- (xii) Significant decline in property values or abnormally low property values in relation to other areas in the community;
- (xiii) Structurally unsound;
- (xiv) Unsanitary or unsafe conditions; or
- (xv) Dilapidated or in a state of decay or damage, determined by the building official that access to the structure or any structure on the property should be denied.

(d) "Owner" means any person with legal or equitable ownership interest in the structure, including but not limited to a corporation foreclosing a lien or mortgage interest in the affected property. Owner shall include those persons having been foreclosed upon, but for whom the redemption period has not expired.

(e) "Secured" means a building which has all points of entry into the structure either:

- (i) Closed by use of windows and doors which are in proper working order, intact, without broken elements, and are locked; or
- (ii) Are secured by exterior grade plywood in compliance with this chapter.

PART II. SAVING CLAUSE.

The amendment of Title 8 Health and Safety, Chapter 9, Section 8.08.010 and Section 8.08.020 and does not affect or impair any act done, offense committed, or right accruing or accrued or liability, penalty, forfeiture, or punishment, pending or incurred to these amendments.

PART III. REPEAL.

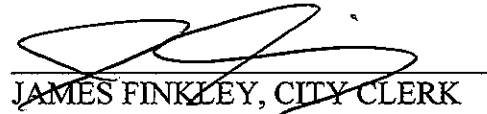
This ordinance hereby repeals any ordinance which conflicts with the provisions hereof.

PART IV. EFFECTIVE DATE; PUBLICATION.

The provisions of this ordinance shall become effective ten days after its publication and shall be published within ten days of its adoption by publication of a brief notice in the newspaper circulated in the city stating the date of the enactment and the effective date of the ordinance, a brief statement as to the subject matter of this ordinance and such other facts as the Clerk deems pertinent, and that a copy of the ordinance is available for purchase and/or inspection at the office of the City Clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HAZEL PARK, OAKLAND COUNTY, MICHIGAN ON THE 10th DAY OF December _____, 2019.



MICHAEL WEBB, MAYOR


JAMES FINKLEY, CITY CLERK

Date of Adoption: 12/10/2019
Date of Publication: 12/18/2019
Effective Date: 12/27/2019

CERTIFICATE OF ADOPTION

It is hereby certified that the foregoing is a true and complete copy of an Ordinance passed at a regular meeting of the City Council of the City of Hazel Park, held on the 10th day of December, 2019.


JAMES FINKLEY, CITY CLERK