

**VILLAGE OF CASNOVIA**  
**COUNTIES OF KENT AND MUSKEGON, MICHIGAN**

At a regular meeting of the Village Council of the Village of Casnovia, held at the Village Hall, 141 N. Main Street, Casnovia, Michigan, on the 10th day of January, 2000 at 7:30 p.m.

PRESENT: Members: Koomen, Isenhart, Kahrs, Parcels, Shaw

ABSENT: Members: Harrison and Gardner

The following ordinance was offered by Member Kahrs and seconded by Member Parcels.

**ORDINANCE NO. 2000-1**

**AN ORDINANCE TO PROVIDE MINIMUM STANDARDS  
FOR MAINTENANCE OF REAL PROPERTY WITHIN THE VILLAGE,  
TO ADOPT THE STATE HOUSING LAW BY REFERENCE,  
TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ORDINANCE  
AND TO AUTHORIZE THE VILLAGE TO CHARGE VIOLATORS  
FOR THE EXPENSES INCURRED BY THE VILLAGE IN  
CORRECTING CERTAIN VIOLATIONS OF THE ORDINANCE**

THE VILLAGE OF CASNOVIA ORDAINS:

[PROPERTY MAINTENANCE ORDINANCE]

Section 1. Title. This ordinance shall be known and may be cited as the Village of Casnovia Property Maintenance Ordinance.

Section 2. Purpose. The purpose of this ordinance is to promote the public health, safety and general welfare by establishing minimum standards and conditions for the maintenance of lands and buildings in the Village and by prohibiting deteriorated or unsafe conditions of building and lands, so as to avoid harm and damage to persons and property; to avoid blighted and unsightly conditions and appearances of buildings and land; to promote effective maintenance of property within the Village; to assist in maintaining property values; and, in general, to encourage and promote sound building conditions and safe land conditions, for the benefit of the public.

Section 3. Maintenance of Lands.

(a) Grass, weeds and similar plants shall be mowed or cut prior to reaching a height of one (1) foot.

(b) Any tree or shrub which overhangs any sidewalk, street, alley or other public way in such manner or to such extent as to physically or visually interfere with vehicles or pedestrians on the public way, or which obstructs the illumination from any street light or otherwise interferes with other public facilities, shall be promptly cut or trimmed by the owner of the premises where such tree or shrub is located, so as to eliminate the interference or obstruction.

(c) Any limb or branch of a tree which has become likely to fall on or across any public way or place shall be removed by the owner of the lands where the tree is located.

(d) All noxious weeds, including, but not limited to, ragweed, Canada thistles, milkweed, wild carrot, oxeye, poison ivy, dodders, mustards, bind weed, perennial saw thistles or other weeds found growing or located on any lands within the Village are hereby declared to be a nuisance. It shall be unlawful to permit any such weeds to grow or remain on any such land. The owner of any lands within the Village on which such noxious weeds are growing or located shall promptly cut down the weeds to ground level or otherwise remove them from the land.

Section 4. Maintenance of Buildings.

(a) All buildings shall be maintained in a stable and safe condition so as not to present a hazard of harm or injury to any person or property.

(b) Buildings shall not have broken windows, broken steps or broken railings or other conditions that may cause harm or injury to persons or property or that may present a hazard to any persons.

(c) Roofs, porches and other structural features shall be kept in good condition so as not to present a hazard of harm or injury to persons or property.

(d) Boarded-up windows shall be a violation of this ordinance unless necessary to temporarily secure a building due to unanticipated, sudden or accidental damage.

Section 5. Trash, Junk, Garbage, Refuse and Debris.

(a) No person shall accumulate any trash, junk, garbage, refuse, debris or other discarded goods or material out of doors in any yard or on other land except as follows:

(i) When disposed of in a lawful junkyard or lawful sanitary landfill;

(ii) When temporarily kept, for not more than eight (8) days, in a water-tight container designed for such a purpose, pending the emptying of the container and removal of the contents for periodic waste disposal purposes; or

(iii) When yard or other waste is temporarily accumulated at the curb, not to exceed eight (8) days, pending pickup by public or private waste hauling services or other removal measures.

(b) Junk shall include discarded wood, metal, machine parts, vehicles, vehicle parts, appliances, appliance parts, paper products, wiring and all other trash, rubbish, refuse or other discarded goods, materials or matter.

Section 6. Adoption of State Housing Law by Reference.

(a) Pursuant to the provisions of Section 125 of the State Housing Law, 1917 PA No. 167, as amended, the State Housing Law is hereby adopted by reference.

(b) Pursuant to the provisions of Section 125 of the State Housing Law, 1917 PA No. 167, as amended, the Village Building Inspector is hereby designated with the authority to administer and enforce the requirements of the State Housing Law on behalf of the Village.

Section 7. Violations.

(a) In the case of an apparent violation of this ordinance, the Village Clerk, or the Clerk's designee, shall send a letter by first class mail to the owner of the property where the violation has occurred or is occurring. The letter shall describe the violation and provide the owner with a specified period of time in which to correct it.

(b) Upon expiration of the time period stated in the letter to the owner, a Village official or employee shall reinspect the property to determine if the violation has been corrected.

(c) If the violation has not been corrected by the time of the reinspection described in Section 7(b) of this ordinance, the violation shall be a misdemeanor punishable upon conviction by imprisonment of up to ninety (90) days or by fine of up to \$500, or both such fine and imprisonment, and also the payment of all costs and expenses ordered by the court to be paid by the violator. Each day that a violation continues shall be a separate offense.

(d) In the case of a violation of Section 3(d) of this ordinance pertaining to noxious weeds, the Village may, instead of pursuing the penalties described in Section 7(c) of this ordinance, enter the property on which the violation exists and take appropriate action to remedy the violation, including the cutting and removal of noxious weeds. The Village shall keep an account of the expenses incurred in remedying the violation, all of which shall be charged to and paid by the owner of the property. Such charges shall be a lien on the property, notice of which shall be mailed to the owner of the property at the owner's last known mailing address. The lien shall be effective as of the date of such mailing. The charges, if unpaid, may be enforced by one of the following means:

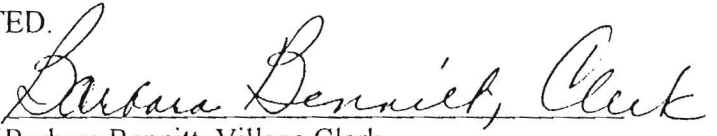
(i) In the manner provided by law for the enforcement of construction liens; or

Section 11. Publication. A summary of the principal provisions of this ordinance shall be published in a newspaper of general circulation in the Village within fifteen (15) days after its adoption.


YEAS: Members: Koomen, Isenhardt, Kahrs, Parcels, Shaw

NAYS: Members: None

ORDINANCE DECLARED ADOPTED.

  
Barbara Bennett, Village Clerk

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Village Council of the Village of Casnovia, at a meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

  
Barbara Bennett, Village Clerk