

**FORSYTH TOWNSHIP  
MARQUETTE COUNTY, MICHIGAN  
BLIGHT ELIMINATION ORDINANCE – AS AMENDED  
2025-2**

At a regular meeting of the Township Board of Forsyth Township, Marquette County, Michigan, held at the Gwinn Community Center on February 27, 2025, at 6:30 p.m., Township Board Member \_\_\_\_\_ moved to adopt the following Ordinance, which motion was seconded by Township Board Member \_\_\_\_\_.

*An Ordinance to secure the public peace, health, safety and welfare of the residents and property owners of the Township of Forsyth, Marquette County, Michigan, by the regulation and prevention of blight within said Township; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority thereof provided by Public Act 344 of 1945, as amended the Blight Area Rehabilitation Act (MCL 135.71, et seq.).*

**THE TOWNSHIP OF FORSYTH ORDAINS:**

**SECTION I: NAME**

This Ordinance shall be known and cited as the Blight Elimination Ordinance.

**SECTION II: PURPOSE**

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this Ordinance to promote the general health, safety and welfare of the residents and property owners of the Township of Forsyth by regulating and preventing, reducing or eliminating blight, or potential blight in the Township through the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in Forsyth Township.

It is further intended to limit and regulate dilapidated buildings, outdoor storage, parking of vehicles, the accumulation of junk, unused or partially dismantled or non-operating motor vehicles, house trailers, tractor trailers (related or new or used parts), thereof upon premises in Forsyth Township; to thereby avoid injury and hazards to children and others attracted to such vehicles or trailers; the degradation of the environment caused by such vehicles, trailers, and parts thereof; the devaluation of real property and the ill effects of the presence of such vehicles or trailers upon adjoining residents and property owners. Also, to provide for the removal of

dilapidated buildings, dead grass, brush, and miscellaneous debris on lands within the township of Forsyth.

### SECTION III: DEFINITIONS

For the purpose of enforcing the provisions of this Ordinance, certain terms and words herein shall have the following meaning:

- A. **“Blight”** – is defined as any condition, circumstance, or state of being which serves to lower, impair or reduce the true market value of real property through negligence or damage, intentionally, or unintentionally; or any condition, circumstance, or state of being which serves to pose a hazard to the health, safety, or well-being of any or all residents of Forsyth Township.
- B. **“Dangerous or Dilapidated Building”** – is defined as any building or structure, residential or otherwise, that has one or more of the following defects or conditions or is in one or more of the following conditions:
  - a. A door, aisle, passageway, stairway or other means of exit does not work or conform to the Fire Code or Building Code as enforce by Marquette County.
  - b. A portion of the building or structure is damaged by fire, wind, snow, flood, settling, or other cause that the structural strength or stability of the building or structure is less than it was before the catastrophe and does not meet the minimum requirements of the Housing Law of the State of Michigan, Act No. 167 of the Public Acts of 1917, as amended, being Section 125.401 et seq. of the Michigan Compiled Laws, or the Building Code.
  - c. A part of the building or structure is likely to fall, become detached or dislodged, or collapse, and injure persons or damage property.
  - d. The building or structure, or a part of the building or structure, because of dilapidation, deterioration, decay, fire damage, faulty construction, or removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fall or give way.
  - e. The building or structure, or a part of the building or structure, is manifestly unsafe for the purpose for which it is used or intended to be used.
  - f. The building or structure is damaged, dilapidated, or deteriorated and becomes an attractive nuisance to children at play, vagrants, criminals or immoral persons.
  - g. A building or structure used or intended to be used for dwelling purposes which because of dilapidation, decay, damage, or otherwise, is unsanitary or unfit for human habitation.
  - h. A building or structure that is vacant, dilapidated and open at the door, wall, roof, or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.
  - i. The exterior paint, vinyl or aluminum siding, brick, wood, or other exterior component of a building or structure is in such disrepair, a dilapidated fashion, or such poor

condition that the exterior building materials of the building or structure involved are directly exposed to the elements, insects, mold, or fungus.

- C. **“Miscellaneous Debris”** – is defined as **materials of any kind stored in unsheltered areas** which are no longer safely or properly useable for the purpose for which it was manufactured, and which create a hazard to the health, safety or welfare of public.  
**“Miscellaneous Debris” shall include, but not be limited to** scrap iron and other metals; building materials; household appliances and furniture; paper; rags; bags of garbage; pet feces; tires; glass; old, unused, stripped, unlicensed, junked or other automobiles not in good and safe operating condition; and any vehicles, machinery, implements, equipment; and any other personal property of any kind.
- D. **“Vehicle”** – every device in, upon or by which any person or property is or may be transported or drawn upon a road, including trailers, excepting devices moved by human power.
- E. **“Motor Vehicle”** – every vehicle which is self-propelled by means of an engine, and shall include, but not be limited to, automobiles, trucks, vans, buses, truck tractors, motorcycles, motorbikes, bulldozers, front end loaders and other types of construction equipment, logging skidders, snowmobiles, all-terrain vehicles (ATV’s), and boats.
- F. A vehicle is **“Inoperable”** when it is dismantled for the sale, salvage, repair, or reclamation of parts, and does not have all of its main component parts attached, or when the vehicle, if eligible for operation upon the public roads, is incapable of such operation in a lawful manner upon the public roads.
- G. **“Main Component Parts”** – fenders, hood, trunk, wheels, radiator, motor, windows, doors, muffler, body, or essential parts of the engine, and all such other parts or equipment necessary for the vehicle to be lawfully operated upon the public roads pursuant to the Michigan Vehicle Code, being 1949 Public Act 300, as amended.
- H. **“Plow Truck”** – one unlicensed motor vehicle with snow removal equipment attached used for the sole purpose of removing snow from residential premises.
- I. **“Person”** – an individual, firm, corporation, or other entity of any kind.
- J. **“Grass” and “Brush”** – are defined to include all types of weeds, grasses, non-ornamental bushes or shrubs, and other organic matters, growing or dead, which have been allowed to grow untended or which have been allowed to accumulate to a height of eight inches or more on property within Forsyth Township, or which create a hazard to the health, safety or welfare of the public or of their potential to catch fire, to obscure vision or to harbor pests.
- K. **“Building Materials”** – is defined, but shall not be limited to, lumber, bricks, concrete, or order blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete, or cement, structural or miscellaneous steel, nails, screws, or any other materials used in building or constructing any structure and in any other manner of construction.
- L. **“Wooded area”** – is defined to include areas where 50% of the area is covered by tree canopy, or the area is dense and thick with trees preventing grass maintenance. Trees must be at least four (4) feet in height to be considered part of a wooded area.

## SECTION IV: REGULATIONS

A. On and after the effecting date of this ordinance, no person, firm, corporation, or entity of any kind shall maintain or allow to be maintained upon any property in Forsyth Township any kind of the following uses, structures or activities which are hereby determined to be causes or blight or blight factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods and threaten public health, safety and welfare. Conditions of blight as defined within this Ordinance shall include but shall not be limited to:

1. The storage or accumulation of any miscellaneous debris outside of a completely enclosed area.
2. The existence of any dilapidated building upon any property in Forsyth Township.
3. The storage of "building materials" outside of a completely enclosed area for a period in excess of thirty (30) days.
4. Any parcel in the LR, R-1, R-2, R-3, MH-1, MH-2, RR-1, RR-2, SD, or MU zoning districts shall not allow any growth of noxious weeds or grass to a greater height than eight inches on the average on any lot less than five acres in size except in wooded areas as defined by the Forsyth Township Zoning Ordinance. On lots larger than five acres in size, the area within 50 feet from the edge of a Marquette County Road Commission (MCRC) maintained roadway shall not allow any growth of noxious weeds or grass to a greater height than eight inches on the average, except in wooded areas as defined by the Forsyth Township Zoning Ordinance or land actively used for farming.

Any developed Commercial (C1 or C2), developed Industrial (I1 or I2), developed Public Access (PA) and any RRP that has been approved for commercial business shall not allow any growth of noxious weeds or grass to a greater height than eight inches on the average, except in wooded areas as defined by the Forsyth Township Zoning Ordinance or land actively used for farming.

Any Commercial (C1 or C2), Industrial (I1 or I2), Public Access (PA) parcel that is undeveloped shall maintain the area within 50 feet from the edge of a Marquette County Road Commission (MCRC) maintained roadway to not allow any growth of noxious weeds or grass to a greater height than eight inches on the average, except in wooded areas as defined by the Forsyth Township Zoning Ordinance or land actively used for farming.

Residential areas are permitted to have one area designated for pollination under the following conditions:

- a. The designated pollination area must not go past the front edge of the principal residence.
- b. The area cannot exceed 20% of the total parcel size.

- c. Primary focus must be on native plant types and the area must be maintained to remove invasive species.
- d. The area must be partitioned off by a temporary fence as defined in the Forsyth Township Fence Ordinance, rope or other aesthetically pleasing divider so the area is identifiable. Any permanent fence erected would require a Fence Permit.
- e. The property owner must register the area designated for pollination with the Forsyth Township Zoning Office on an annual basis. Registration must be done prior to partitioning off of the designated area.

In all areas, shrubs and trees shall be trimmed and maintained. Shrubs and trees shall not provide a visual barrier or hazard to entrances/exits of property, alleyways, or sidewalks. No property shall be permitted to accumulate dead weeds, grass or brush.

5. Any motor vehicle, house trailer, tractor trailer, snow plow blades, or parts therefrom parked, stored, maintained or placed upon any public right-of-way or public property, or upon any premises unless the same is wholly contained within a fully enclosed building and does not violate any of the zoning or building laws of the Township, County, or State of Michigan except for the following:
  - a. Duly licensed and operable motor vehicles or trailers with all main component parts attached at any given time.
  - b. Two motor vehicles or trailers, or a combination thereof, that are temporarily inoperable because of mechanical failure and are not in any manner dismantled and have all main component parts attached. Such motor vehicles or trailers may remain upon private property for no more than 30 days.
  - c. One motor vehicle in fully operating condition, such as a stock car, plow truck, or modified motor vehicle that has been redesigned or reconstructed for a purpose other than that for which it was manufactured, provided no building or garage is located upon the premises in which the same could be parked or stored. In no event shall any such vehicle be parked in the front or side street yard area of any residential premises, except during the racing season or for the purpose of snow removal.
  - d. One inoperable motor vehicle that is under restoration for the purpose of a hobby.
  - e. One motor vehicle that is in operable condition, which is for sale by owner, has a "For Sale" sign displayed, said vehicle shall not be allowed to be on the same property for more than thirty (30) days.
  - f. Vehicles being used for agricultural practices.

6. Any repairing, redesigning, modifying or dismantling work or operations of any vehicle or trailer taking place for more than 14 days unless such repair, redesign, modification, and dismantling is done within a fully enclosed building and does not constitute a nuisance or annoyance to adjoining property owners or occupants; and does not violate any provision of the Forsyth Township Zoning Ordinance.
- B. It is hereby declared the duty of every person who owns, occupies, or leases any real property within Forsyth Township in the County of Marquette to maintain such property in a safe and orderly manner and to remove any dead grass, brush or miscellaneous debris from open areas and dispose of it in a manner provided by law.
  - C. This Ordinance shall not prevent the operation of any duly licensed and properly zoned junk yard, salvage yard, garage, golf course, body, or paint shop or other businesses where such uses or operations are legally authorized under the Zoning Ordinance of the Forsyth Township and are conducted in conformance therewith.

#### **SECTION V: NUISANCE**

Any “Blight” in violation of the provisions of this ordinance is hereby declared to be a public nuisance which may be enjoined or subject the violator to civil damages and the fines and penalties herein provided for.

#### **SECTION VI: ORDINANCE ENFORCEMENT OFFICER(S)**

This Ordinance shall be enforced by the Zoning Administrator, Zoning Official, or by other such person or persons as the Township Board may, from time to time, designate.

#### **SECTION VII: NOTICE AND HEARING**

The Forsyth Township Zoning Administrator and Forsyth Township Zoning Official are authorized to send written notice to owners or occupants of real property of a violation of the provisions of this ordinance. The Township Board shall also designate a Blight Committee composed of five (5) members who are residents of Forsyth Township, all of whom shall serve at the pleasure of the Township Board. Complaints regarding violations of this ordinance shall be directed to the Zoning Administrator or Zoning Official and such designated person shall have the authority to review all such complaints and to confirm whether such complaints constitute a violation of the provisions of this ordinance.

##### **A. Notice to Remove**

- a. The Zoning Administrator or Zoning Official shall send a written notice to the owner of a violation of this ordinance. Notice shall be sent by first class mail to the owner or occupant at such person’s last known address. The notice shall advise of a right to a hearing with the Blight Committee, and of

consequences for failure to comply with the demand for removal of those items in violation of this ordinance. The notice shall require removal of those items in violation of the ordinance. The notice shall require removal of such materials within 14 days for miscellaneous debris and long grass, and within 30 days for motor vehicles and dilapidated buildings from the date of the notice sent. Occupants of property on which violations are noticed shall be deemed to be the agent of the owner of such property.

**B. Extension**

a. Any person affected by any notice issued pursuant to this Ordinance may request an extension with the Zoning Administrator or Zoning Official provided that such person files in the Township Assessing & Zoning Office a written petition for an extension and a statement of the grounds for non-compliance with the removal demand within 14 days of the date on the written notice of violation. The Zoning Administrator or Zoning Official shall review the request and may issue up to a thirty-day extension. The determination shall be sent to the person affected in writing.

**C. Hearing**

a. Any person affected by any notice issued pursuant to this Ordinance may request and shall be granted a hearing with the Blight Committee provided that such person files in the Township Assessing & Zoning Office a written petition for a hearing and a statement of the grounds for non-compliance with the removal demand within 14 days of the date on the written notice of violation. The Blight Committee shall hear such appeals, and a majority shall reverse or affirm in whole, or part of the removal order appealed from, and make such order as it determines.

b. With the request for a hearing, the applicant grants permission to the appointed Forsyth Township personnel and members of the Blight Committee, to access the subject property.

**SECTION VIII: SEVERABILITY CLAUSE**

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section, or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part of portion thereof.

**SECTION IX: PENALTY**

A. Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed responsible for a municipal civil infraction and shall be subject to a civil penalty. First infraction is One Hundred Dollars (\$100.00); subsequent infractions

shall impose an additional One Hundred Dollar (\$100.00) fine respectively, up to a maximum of Five Hundred Dollars (\$500.00). Every day that a violation continues to exist shall constitute a separate infraction. Such penalty provision shall not preclude any other civil action against a violator for injunctive or other relief.

- B. If owner or occupant fails to conform to the provisions of this ordinance, the Township Board is authorized to have Township personnel or an independent contractor remove miscellaneous debris, long grass, or other nuisances, as described in the notice of violation, from the premises. They also have the ability to add removal expenses to the tax roll of the property from which such debris or dilapidated building was removed.
- i. If the Township Board authorizes removal of miscellaneous debris, long grass, or other nuisances from a property, the Zoning Administrator or Zoning Official shall notify the owner via certified mail that such action will be taken in a time frame of not less than seven (7) days and identify the items to be removed from the property. "Service shall be perfected by the mailing of the notice, via certified mail, to the last known address of the owner, as shown in the Township tax records."
  - ii. If the Township Board finds that the alleged violation creates an immediate health concern (i.e.. raw and uncontained garbage, etc.), then the Township Board may avail itself with the relief in

this Section 9(B) coincidentally with the process of Section 7. In such a case, the following shall apply.

1. **The property owner shall be informed that this immediate action is due to a health concern and that it is being done separately and coincidentally with any other notice the property owner may have received. The timeframe for this immediate action may be different from the timeframe in other notices.**
  2. **The cost of removal or remediation of the violation shall be dependent on the outcome of the hearing contemplated in Section 7, if any.**
- C. The Zoning Administrator may choose to forward the complaint to the Township Board and Township Attorney for review and action. The Circuit Court for the County of Marquette may consider such complaint and Order a nuisance to be abated if the owner of the property is found to be responsible for maintaining such nuisance after a hearing on the merits. Any person who continues to violate the provisions of this Ordinance after having been issued a notice of violation shall be subject to a fine of up to five hundred dollars (\$500.00) plus the costs of prosecution, or imprisonment in the Marquette County jail for a period of up to thirty (30) days, or both. Each day that a violation is permitted to exist shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance or the Orders of the Circuit Court Judge.





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Ron Lauren, Township Clerk