

**FORSYTH TOWNSHIP  
MARQUETTE COUNTY, MICHIGAN  
BLIGHT ELIMINATION ORDINANCE – AS AMENDED  
2026-1**

At a regular meeting of the Township Board of Forsyth Township, Marquette County, Michigan, held at the Gwinn Community Center on February 26, 2026, at 6:30 p.m., Township Board Member Trustee Hammond moved to adopt the following Ordinance, which motion was seconded by Township Board Member Treasurer Underwood.

*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. **“Attractive Nuisance”** – is defined by the Attractive Nuisance doctrine, enforced by MCL 554.583 Trespass Liability Act. All blight, as determined by the Township, that could intentionally or unintentionally cause injury to children.
- B. **“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.
- C. **“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 enforced 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.
- D. **“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, or 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.
- E. **“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.
- F. **“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.
- G. 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.
- H. **“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.
- I. **“Plow Truck”** – one unlicensed motor vehicle with snow removal equipment attached used for the sole purpose of removing snow from residential premises.
- J. **“Person”** – an individual, firm, corporation, or other entity of any kind.
- K. **“Grass” and “Brush”** – are defined to include any growth or pollination of weeds or grasses which cause or produce hay fever in human beings, exhale unpleasant or noxious odors or conceal filthy deposits, 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.
- L. **“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.

- M. **“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.
- N. **“Reforestation” and “Afforestation”** – The intentional population of an area with tree cover using seeds, saplings, or plantings of various tree species.
- O. **“Pollination Area”** – The intentional population of an area with native plant species using seeds or plantings, including the removal of invasive species, allowed to grow for pollination purposes

**SECTION IV: ADOPTION**

Adopted. There is hereby adopted by reference the International Property Maintenance Code, as published by the International Code Council, as the property maintenance code of the township, for the control of buildings and structures as provided in this chapter, and each and all of the regulations, provisions, penalties, conditions and terms of such code are hereby referred to, adopted and made a part of this article as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in subsection (d) of this section.

(a) Purpose. The purpose of the property maintenance code is to ensure public health, safety and welfare insofar as they are affected by the maintenance of all property, buildings and structures within the Village.

(b) Definitions. Whenever the words "village," "jurisdiction" or "governmental unit" are used in the International Property Maintenance Code, they shall mean Forsyth Township. Whenever the word "state" is used in the International Property Maintenance Code, it shall mean the State of Michigan.

**SECTION V: 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 or trash outside of a completely enclosed area.
2. The existence of any dilapidated building upon any property in Forsyth Township. In the event that an engineer employed by the Township, or an independent contracted engineer, determines that the building is structurally unsound, the Township may order that the building be demolished with the cost of demolition paid by the property owner.

3. The existence of Attractive Nuisance as defined by this ordinance.
4. The storage of "building materials" outside of a completely enclosed area for a period in excess of thirty (30) days.
5. All property owners shall maintain property to 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 this 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 this ordinance or land actively used for farming, except under the following conditions:
  1. Any vacant Industrial (I1 or I2), regardless of 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 this ordinance.
  2. Any property that is zoned RRP, RR-2, PA, OS or vacant Commercial (C1 or C2) is not required to mow.
  3. Churches, Hospitals and Schools are required to maintain the entirety of the property regardless of size to not allow any growth of noxious weeds or grass to a greater height than eight inches.

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.

All reforestation, afforestation, and pollination requests shall submit a variance request in writing to the Blight Committee including a proposed site plan.

6. 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 dismantled in any manner 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.
7. 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 VI: 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 VII: 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 VIII: 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 the 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 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. Grass or noxious weed violations will be posted to the front door of the property in question if such a door exists alerting the owner or occupant that the property will be mowed by the Township if within 7 days of the notice being posted the property in question is not properly mowed. A fee established by the Forsyth Township Board shall be charged for each mowing by the Township under this ordinance.

### **B. Extension**

- a. Any person affected by any notice issued pursuant to this Ordinance may request a reasonable 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 issue an extension.

### **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 or variance requests, 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 or extension, the applicant grants permission to the appointed Forsyth Township personnel and members of the Blight Committee to access the subject property.

#### **SECTION IX: 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 X: 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, or the Township Manager on their behalf, is authorized to have Township personnel or an independent contractor enter the property without further notice and remove miscellaneous debris, long grass, or other nuisances, as described in the notice of violation, from the premises. If an engineer has determined that a building is structurally unsound, the Township is authorized to complete demolition or take necessary steps to secure the structure for the purposes of public safety. Charges for enforcement of this Ordinance, including a fee as defined by the Township Board to cover the necessary expenses accrued by the Township to organize the cleanup, pursuant to Public Act 344 of 1945 as amended, creates a lien on all premises whereon such enforcement occurs. The Township official in charge of collection of such charges and costs shall certify to the tax assessing officer of the Township the fact of delinquency in paying such charges and costs, whereupon such costs shall be entered upon the next Township tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general Township taxes.

- i. If the Township Board or Manager 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 ten (10) days and identify the work to be completed on 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 or Manager finds that the alleged violation creates an immediate health concern (i.e. raw and uncontained garbage, etc.), then the Township Manager 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.

#### **SECTION XI: REPEAL AND EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days after the date of first publication. All Ordinances or parts of Ordinances and specifically prior **Dilapidated Building Ordinance adopted July 14, 1976, and Miscellaneous Debris Ordinance adopted on January 21, 1986, or other Ordinances** in conflict herewith are repealed.

The original signed and dated Blight Elimination Ordinance will be kept in the Forsyth Township Clerk's office.

