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ARTICLE III. BLIGHT

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Sec. 14-52. Purpose.

It is the purpose of this article to remove, eliminate, repair and rehabilitate such structures, uses and activities which are of a nature to cause blight or blighting conditions and to safeguard structures upon which public good depends.

(Code 1989, § 12-26; Ord. No. 01-4, § 1, 7-11-2001)

Sec. 14-53. Causes of blight or blighting factors.

- (a) It is hereby determined that the following structures, uses and activities are causes of blight or are blighting factors which, if allowed to exist, will result in blighted neighborhoods and will harm the economic structure upon which the public good depends. On and after the effective date of the ordinance from which this article is derived, no person, firm or corporation, or any group of any kind, shall maintain or permit to be maintained any of these blights or blighting conditions upon any land or premises in the village.
- (b) The following activities are expressly prohibited in the village:
- (1) In any area zoned residential by ordinance of the village, the existence of any junk motor vehicle, except in a completely enclosed building is expressly prohibited. For the purpose of this article, the term "junk motor vehicle" includes any motor vehicle which is not licensed for use upon the highways of the state for a period in excess of 60 days and also, whether so licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of 60 days.
 - (2) In any area zoned residential by said zoning ordinance, the out of doors storage upon any premises of building materials, unless construction work is being done on said premises under a building permit and said materials are intended for use in connection with such construction. Building materials shall include, but shall not be limited to, lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in constructing any structure, provided further, that all construction debris shall be removed from any premises, prior to the issuance of a certificate of occupancy by the building inspector.
 - (3) In any area zoned residential by said zoning ordinance, the storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such manner as not to create a nuisance for a period not to exceed 30 days. The term

"junk" includes parts of machinery or motor vehicles, construction machinery or parts thereof, unused stoves or other appliances stored in the open, metal or any other material or other castoff material of any kind whether or not same could be put to any reasonable use.

- (4) In any area zoned residential by said zoning ordinance, the existence of any vacant dwelling, garage or out-building, unless the same is kept securely locked, windows kept glazed or boarded up and otherwise protected to prevent entrance thereto by unauthorized person or persons.
- (5) In any area zoned other than residential by said zoning ordinance, the causes of blight or blighting factors hereinbefore prohibited in any area zoned for residential purposes, unless such uses of property are incidental to and necessary for the carrying on of the use lawfully being conducted upon the premises involved.
- (6) In any area the existence of any structure or part of structure which, because of fire, wind or other natural disaster, or physical deterioration, is no longer habitable as a dwelling, nor useful for any other purpose for which it may have been intended.
- (l) In any area the existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid and existing building permit issued by the village and unless exterior construction is completed within one year after issuance thereof unless this time is extended by the building inspector.

(Code 1989, § 12-27; Ord. No. 01-4, § 2, 7-11-2001)

Sec. 14-54. Violations.

- (a) This article shall be enforced by the building official and/or ordinance enforcement officer of the village.
- (b) The owner and the occupant of any property upon which any of the causes of blight or blighting factors set forth in [section 14-53](#) is found to exist shall be notified in writing to remove or eliminate such causes from such property within ten days after service of the notice upon him. Such notice may be served personally or by certified, return receipt requested mail. Additional time may be granted by the enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting are in progress.
- (c) Failure to comply with such notice within the time allowed, the owner and/or occupant shall constitute a violation of this article. Each day that there is such a failure to comply shall constitute a separate offense.
- (d) Violation of this article shall be deemed to be a nuisance per se. Any person or anyone acting on behalf of any such person who shall violate any provisions of this article, or who shall fail to comply with any of the requirements thereof shall be guilty of a municipal civil infraction as defined by state law and subject to a civil fine determined in accordance with the following schedule:

Violation #	County	Local	Judgment Fee	Plaintiff Cost	Total
1st	\$ 50.00	\$25.00	\$9.00	\$11.00	\$ 95.00
2nd	83.33	41.67	9.00	11.00	145.00
3rd	166.67	83.33	9.00	11.00	250.00
4th or subsequent violation	*	*	9.00	11.00	*

The court shall exercise its discretion in setting the appropriate fine.

- (e) Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the village has been put in connection with the violation. In no case, however, shall costs of less than .00 or more than 500.00 be ordered. violator of this section shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under state law. Each day a violation of this section continues to exist constitutes a separate violation.

(Code 1989, §§ 1-10, 12-28; Ord. No. 01-2, §§ 1—3, 7-11-2001; Ord. No. 01-4, § 3, 7-11-2001)

Secs. 14-55 □ 14-□1. Reser□ed.