

**ORDINANCE NO. 45
BLIGHT ORDINANCE**

The Village of New Era ordains:

Section 1. PURPOSE.

It is hereby found and declared areas of the village are or may become blighted and that such blighted areas are detrimental to the health, safety, morals and general welfare of the citizens and to the economic welfare of the municipality. In order to improve and maintain the general character of the village, it is necessary to rehabilitate such areas by eliminating blight and blight factors within all areas of the village for the protection of health, safety, morals and general welfare of the village.

Section 2. CAUSES OF BLIGHT OR BLIGHTING FACTORS.

It is hereby determined that the following uses, structures, activities and conditions are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods.

No person shall maintain or permit to be maintained any causes of blight or blighting factors upon any property in the village whether owned, leased, rented or occupied by such person.

Such blight or blighting factors are:

1. In any area, the open storage or accumulation upon any property, street or alley of junk, trash, debris, rubbish or refuse of any kind.
 - a. The term "junk" shall include but not be limited to parts of machinery or motor vehicles, tires, vehicle parts, unused stoves or other appliances, remnants of wood, plastic, metal or any other material or other cast off material of any kind whether or not the same could be put to any immediate reasonable use.
 - b. "Open storage" as used in this section shall mean such storage or accumulation which is visible from any public street or sidewalk, or from any adjoining property.
2. In any area, the open storage (as defined in paragraph 1) of building materials, unless there is in force a valid building permit issued for construction upon said property and said materials are used 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 for construction. To the extent there does exist a valid building permit, all such building materials shall be stored in a neat and orderly fashion.
3. In any area, any growth of weeds or any growth of grass or other vegetation to a greater height than six inches on the average; nor any accumulation of dead weeds, grass or brush. It shall be the duty of the owner, possessor or occupant of any premises to cut and remove or destroy by lawful means all such weeds and grass as often as may be necessary to comply with the provisions of this section.
4. In any area, the failure to maintain the exterior of any building including any vacant dwelling, garage or other outbuildings, unless said structure is kept securely locked,

windows are glazed, exterior surfaces are kept clean and painted, porches and stairs are stable and free of cracked boards or block and are otherwise protected to prevent entry thereto by the elements or by unauthorized persons.

5. In any area, the existence of any structure or part of structure which because of fire, wind or natural disaster, or physical deterioration is no longer useful for which it may have been intended.
6. In any area, the existence of any partially completed structure unless such structure is in the course of construction in accordance with a valid building permit issued and unless such construction is completed within a reasonable time.

Section 3. ENFORCEMENT AND PENALTY.

A village official shall enforce this article, and shall periodically inspect the village for causes of blight or blighting factors within the village.

1. The existence of any condition as described in this ordinance shall be a misdemeanor. Every day that such violation shall continue shall constitute a separate and distinct violation of the provisions of this ordinance.
2. The owner and/or the occupant of any property upon which any of the causes of blight or blighting factors as set forth above, where removal notice has been issued, shall remove or eliminate such causes of blight or blighting factors from such property within 14 days after a removal notice has been issued.
3. Such removal notice shall be served personally either in writing or by certified mail return receipt requested. If efforts to serve or notify the occupant and/or owner are unsuccessful, it shall be deemed sufficient to post the removal notice on the property in question.
4. In addition, once the removal notice described in this subsection has been issued, it shall be deemed sufficient notice for as long as the causes of blight described in the notice remain uncorrected.
5. If the village official, determines that blight or blighting factors have not been removed after the 14 day removal notice, the cause of the blight or blighting factors may be removed by the village official.
 - a. All costs including administrative costs and expenses incurred in the elimination or removal of the causes of blight or blight factors, shall be billed to the owner of the property. Such administrative cost shall include inspections, postal charges, legal expenses and other expenses, which are the result of the enforcement of this Article.
 - b. All invoices which remain unpaid shall become a lien on the property and assessed as a single lot assessment against such property.
6. If a removal notice is issued by a village official and involves any dwelling or other structure, and such order is not complied with within 14 days after its issuance, the village council shall make a determination whether to proceed with demolition of the structure, with the assessment of the demolition costs going to the subject property as a single lot assessment.

Section 4.

This ordinance shall take immediate effect.

Passed and approved by the Common Council of the Village of New Era, at a regular session thereof, held at the Council Rooms in said village, on August 13, 2020.