

**VILLAGE OF ELSIE
CODE OF ORDINANCES NO. 171**

PREAMBLE

AN ORDINANCE TO AMEND THE VILLAGE CODE OF THE VILLAGE OF ELSIE BY AMENDING CHAPTER 8; NUISANCES; ARTICLE II ; OPEN STORAGE; TO DEFINE CONDITIONS AND TERMS; AND TO ESTABLISH AN EFFECTIVE DATE HEREOF.

Section 1: This ordinance to amend CHAPTER 8; NUISANCES; ARTICLE II ; OPEN STORAGE; SECTION 8-34, TITLED: "COMPLAINTS"- Established to read as follows:

Sec. 8-34. – Notice; procedures for removing.

Whenever the conditions of 8-33 are found to exist, the chief of police or designee shall cause the following to occur:

- (1) Written notice of the violation shall be given the property owner, tenant or other person in control, and/or the owner of the vehicle, or vehicle parts, or car parts, tractors, machinery, household appliances, old iron, used lumber, debris and other unsightly junk, or other personal property that because of age, wear and tear, lack of repair by first class mail or by personal service.
- (2) The notice shall provide, in the case of a motor vehicle, that the vehicle must either be restored to operable condition and licensed or removed from the premises or placed in a fully enclosed building within ten days after the date of the notice. In the case of motor vehicle parts, car parts, tractors, machinery, household appliances, old iron, used lumber, debris and other unsightly junk, or other personal property that because of age, wear and tear, lack of repair that they be removed or placed in a building.
- (3) The notice shall state that the village will abate the nuisance by removing the vehicle, and/or vehicle parts, car parts, tractors, machinery, household appliances, old iron, used lumber, debris and other unsightly junk, or other personal property at the expense of the property owner, and/or the vehicle owner, if such corrective action is not taken within that period.
- (4) If the motor vehicle violation continues, the police department shall place a tow-away sticker on the vehicle after the notice period expires and allow 48 hours to pass before removing the vehicle.
- (5) Any person who again violate section 8-33 during the 365-day period following the date of the notice shall be given a citation to appear in court for such violation.

Section 2: The Village of Elsie CHAPTER 8; NUISANCES; ARTICLE II ; OPEN STORAGE; SECTION 8-34, TITLED: "COMPLAINTS,"- adopted on August 24, 1984, is repealed.

Section 3: EFFECTIVE DATE

This ordinance will become effective on July 30, 2019. (Effective date must be not less than 20 days after adoption and after publication as required by law.)

THE VILLAGE OF ELSIE AT A REGULAR MEETING HELD THE NINTH (9) DAY OF JULY, A.D., 2019.

The above Ordinance was moved by Councilperson Carroll and supported by Councilperson Ornelas

Yeas: S. Frink, Ondrusek, Ornelas, Freeman, Hyland, and Carroll.

Nays: None

Absent: T. Frink

THE ORDINANCE WAS DECLARED ADOPTED.

I hereby certify that the foregoing ordinance was adopted by the Village of Elsie at a meeting held on Tuesday, July, 9, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, Public Act 267 of 1976, as amended, and was published as required by law.

Ann Trierweiler, Village of Elsie Clerk