

**ALAMO TOWNSHIP**  
**KALAMAZOO COUNTY, MICHIGAN**  
**ORDINANCE 46-86**  
**DANGEROUS BUILDINGS ORDINANCE**

**ADOPTED: May 13, 2024**  
**EFFECTIVE: June 20, 2024**

**AN ORDINANCE TO SECURE THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF ALAMO, KALAMAZOO COUNTY, MICHIGAN BY THE REGULATION OF DANGEROUS BUILDINGS INJURIOUS TO LIFE OR HEALTH; TO PROVIDE FOR THE DEMOLITION OF SUCH DANGEROUS BUILDINGS; TO PROVIDE PENALTIES FOR THE VIOLATION OF SAID ORDINANCE; TO PROVIDE ASSESSMENT OF THE COST OF SAID MAKING SAFE OR DEMOLITION OF DANGEROUS BUILDINGS; AND TO REPEAL ALL ORDINANCE AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.**

Section 1      Title.

This Ordinance shall be known and cited as the ALAMO TOWNSHIP DANGEROUS BUILDINGS ORDINANCE.

Section 2      Definitions.

As used in this Ordinance, the term “dangerous building” means any building or structure, residential or otherwise, which has any of the following defects or is in any of the following conditions:

(a) Whenever any door, aisle, passageway, stairway or other means of ingress or egress does not conform to the Building Codes or Fire Codes effective within the Township, it shall be considered that such building does not meet the requirements of this Ordinance.

(b) Whenever any portion has been damaged by fire, wind, flood or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements of the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as

amended, or the Building Code of the Township for a new building or similar structure, purpose or location.

(c) Whenever any portion or member or appurtenance is likely to fall or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

(d) Whenever any portion has settled to such an event that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by the Housing Law of the State of Michigan, being Act No. 167 of the Public Acts of 1917, as amended, or the Building Code of the Township.

(e) Whenever the building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose thereof, or for other reason, is likely to fall or give way.

(f) Whenever for any reason whatsoever the building or structure or any portion is manifestly unsafe for the purpose for which it is used.

(g) When the building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral acts.

(h) Whenever a building or structure, because of dilapidation, decay, damage or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the health officer, or is likely to work injury to the health, safety or general welfare of those living or working within.

(i) Whenever any building becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

(j) Whenever a building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease or rent with a real estate broker licensed under Article 25 of the Occupational Code, Act. 299 of the Public Acts of 1980, being Sections 339.2501 to 339.2515 of the Michigan Compiled Laws, or (if the building or structure) has not been publicly offered for sale by the owner of the building or structure during said period. For purposes of the subdivision, "building or structure" includes, but is not limited to, a commercial building or structure. This subdivision does not apply to either of the following:

1. A building or structure as to which the owner or agent does both of the following:

(i) Notifies the Township Building Department that the building or structure will remain unoccupied for a period of 180 consecutive days. The notice shall be given to the Township Building Department by the owner or agent not more than 30 days after the building or structure becomes unoccupied.

(ii) Maintains the exterior of the building or structure and adjoining grounds in accordance with this Ordinance or the Building Codes of the Township.

2. A secondary dwelling of the owner that is regularly unoccupied for a period of 180 days or longer each year will not apply, if the owner notifies the Township Building Department that the dwelling will remain unoccupied for a period of 180 consecutive days or more each year. An owner who has given the notice prescribed by this subparagraph shall notify the Township Building Department not more than 30 days after the dwelling no longer qualifies for this exception. As used in the subparagraph, “secondary dwelling” means a dwelling such as a vacation home, hunting cabin or summer home, that is occupied by the owner or a member of the owner’s family during part of the year.

(k) The term “dangerous building” shall also include any sign, fence, shed, lean-to, cellar, appurtenance, or other structure which has become so rotted, broken, infirm or dilapidated so as to endanger persons or property.

### Section 3 Prohibition

It shall be unlawful for any owner, or agent thereof, to keep or maintain any building or part thereof which is a dangerous building as defined in this Ordinance.

### Section 4 Enforcement; violations and penalties

Any person, firm or corporation or other entity who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this Ordinance shall be responsible for a municipal civil infraction and shall pay a fine according to the following schedule:

	<u>Minimum Fine</u>	<u>Maximum Fine</u>
1 <sup>st</sup> violation within 3 year period*	\$ 75.00	\$500.00
2 <sup>nd</sup> violation within 3 year period*	\$150.00	\$500.00
3 <sup>rd</sup> violation within 3 year period*	\$325.00	\$500.00
4 <sup>th</sup> violation within 3 year period*	\$500.00	\$500.00

\*determined on basis of date of violation(s).

If a determination of responsibility is made by the Court, the Court may impose costs as provided for by law in addition to the fines called for above. The foregoing penalties shall not prohibit the Township from seeking injunctive relief against a violator or such other appropriate relief as may be provided by law. Every day that violation is permitted to exist shall constitute a separate offense. The imposition of any fine shall not exempt the offender from compliance with the provisions of this Ordinance.

#### Section 5 Severability

The provisions of this Ordinance are hereby declared to be severable and, if any part is declared invalid for any reason by a court of competent jurisdiction, it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

#### Section 6 Effective date and Repeal

This Ordinance took effect June 20, 2024. All Ordinance or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed. Ordinance No. 25-M (former Dangerous Buildings Ordinance) is hereby repealed.