

VILLAGE OF CASS CITY  
PROPOSED ORDINANCE NO. 217  
AN ORDINANCE TO AMEND THE CASS CITY CODE OF ORDINANCES,  
CHAPTER 16, ENVIRONMENT, ARTICLE II, BLIGHT, DIVISION III,  
VACANT, ABANDONED, AND FORECLOSED PROPERTIES, BUILDING REGULATION

THE VILLAGE OF CASS CITY ORDAINS:

The Village Council of Cass City hereby amends the Village Ordinance, Chapter 16, Environment, Article II, Blight, Division III, Vacant, Abandoned, and Foreclosed Properties, Building Regulation to include the following:

**Section 1. Amend the definition of “Vacant property” under Sec. 16-37 - Definitions**

*Vacant property* means a residential, commercial, or industrial lot, building, or structure that remains unoccupied for a period in excess of 30 days, subject to the following:

- (1) Property which is unoccupied in excess of 30 days and offered for sale or lease constitutes vacant property and is not exempt from the requirements of this chapter.
- (2) For properties that are more than 1 story, an unoccupied street level story constitutes a vacant building.
- (3) A building that has unoccupied street level storefront suite in the building, regardless of whether another storefront suite in the same building is occupied, constitutes a vacant building.
- (4) A building in which a lawful business that was once open for regular business hours (with the exception of holidays and seasonal businesses) ceases operation for more than 30 days constitutes a vacant building. A lawful business means the current use of the structure for which the structure was built or intended to be used.
- (5) VACANT PROPERTY does not mean property that is temporarily unoccupied while the residents are away on vacation, or while away tending to personal or business matters.

**Section 2. Amend Sec. 16-43 - Property constituting a public nuisance and security requirements to include**

- (m) Storefront windows on vacant properties shall remain transparent and unobstructed. Storefront windows shall be kept free from dirt, grime, or residue that reduces transparency or contributes to conditions likely to attract graffiti, tagging, or other

vandalism. Storefront windows shall not be rendered opaque through the use of paint, paper, boards, panels, interior shelving, or any similar material or obstruction. Vacant properties shall be kept free of visible storage, including but not limited to items associated with former business operations, personal property, merchandise, equipment, or debris. Any storage that remains on-site shall be removed or securely stored so as not to be visible from the public right-of-way.

**Section 3. Amend Sec 16-38(a). - Registration of vacant, abandoned, and foreclosed property.**

1. If a property owner registers their vacant property and indicates that it is vacant due to renovations and construction taking place, they are permitted to cover windows to conceal operations happening within the premises. This registration shall be renewed quarterly (every 3 months), and demonstration of progress would need to be made.

**Section 4. Amend Sec 16-47 – Penalty to be replaced with**

Sec 16-47. - Violations; municipal civil infraction

- (a) Any person, firm, corporation, or entity of any kind found violating the provisions of this article is responsible for a municipal civil infraction, subject to payment of a civil fine of not more than \$100.00, plus costs and other sanctions, for each violation (as authorized by chapter VI, section 2, of the General Law Village Act, Public Act No. 3 of 1895 (MCL 66.2), and the Village Municipal Civil Infraction Ordinance, article II of chapter 20).
- (b) Repeat offenses at the same address under this article shall be subject to increased fines as provided by this section. As used in this section, the term "repeat offense" means a second or any subsequent violation of the same requirement or provision of this article for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this article shall be as follows:
  - 1. The fine for any offense which is a first repeat offense at the same address shall not be more than \$150.00, plus costs.
  - 2. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall not be more than \$250.00 each, plus costs.
- (c) The ordinance enforcement officer is designated as the authorized village official to issue municipal civil infraction citations for violations of this article, as provided by the Village Municipal Civil Infraction Ordinance, article II of chapter 20. As used in this article, the term "ordinance enforcement officer" means the village official, employee, agent or other entity assigned to perform the functions and tasks assigned by this article to the ordinance enforcement officer.

- (d) In addition to any remedies available at law, the village may bring an action for an injunction or other process against any person to restrain, prevent or abate violation of this article.

**Section 4. Validity and Severability.**

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

**Section 5. Repealer.**

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**Section 6. Effective Date.**

This Ordinance takes effect seven (7) days after publication as provided by law.

**A MOTION TO CONDUCT THE SECOND READING AND ADOPT THE PROPOSED ORDINANCE NO. 217 CHAPTER 16, ENVIRONMENT, ARTICLE II, BLIGHT, DIVISION III, VACANT, ABANDONED, AND FORECLOSED PROPERTIES, BUILDING REGULATION**

Was offered by Trustee \_\_\_\_\_ and supported by Trustee \_\_\_\_\_

Ayes:

Nays:

Resolution: Approved / Not Approved

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
Date

**CERTIFICATION**

I, \_\_\_\_\_ hereby certify that the foregoing is a true and complete copy of an Ordinance duly **TO CONDUCT THE SECOND READING AND ADOPT** by the Village Council of the Village of Cass City, County of Tuscola, State of Michigan at a regular meeting of Village Council duly called and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Village Clerk