

Our #1 Goal is COMPLIANCE

The Code Enforcement Unit (CEU) and the Administrative Hearings Bureau (AHB) were created to effectively and efficiently focus on enforcement of City codes regarding blight. Residents may be unaware of code requirements and this informational pamphlet is designed to assist residents who may have received notification of a violation or those residents who wish to report potential violations.

What is a BLIGHT Violation?

Port Huron has ordinances that address how property owners are to maintain the exterior of their property (see Chapters 2, 10, and 22 of the Code of Ordinances at www.porthuron.org). A blight violation notice/ticket is issued when an owner fails to follow these ordinances. Some common violations are:

Open Storage - Junk Vehicle

- Unlicensed and/or inoperative motor vehicles unless within a completely enclosed building. Special storage permits are available to store such vehicles in the driveway beneath a proper car cover (no tarps).



Open Storage - Building Materials

- Lumber, bricks, concrete, cinder blocks, plumbing, electrical, heating equipment, shingles, mortar, cement, nails, screws or other construction materials - not allowed unless there is a valid building permit.

Open Storage - Junk / Trash / Debris / Refuse

- Parts of machinery/motor vehicles, tires, vehicle parts, unused appliances, remnants of wood, metal or any other materials. Includes boats, campers, travel trailers, motorized homes, trailers and recreational equipment/ vehicles not maintained in good condition and repair.

- Trash/refuse, food/animal



waste, combustible materials (paper, cardboard, yard clippings, wood or similar materials) not in a sealed trash receptacle (sealed trash bags are acceptable). Must be placed to not be visible from any public street or sidewalk whenever possible except during normal collection times.

Upholstered furniture, automobile seats / parts

- Storage, display or use of upholstered or other furniture or discarded automobile seats/parts on porches, patios or in yard not designed, manufactured, sold or intended for use as outdoor furniture.

Exterior of Structure

- No address visible from public way (numbers must be 4" H x .50" W and contrast with the background color).
- Broken or cracked window panes; windows not fully glazed or containing inserts/patches; or openings boarded up for more than 30 days.
- Wood surfaces not clean, stained or painted with chipping or peeling paint; exterior surfaces not free of dirt, grime or graffiti.
- Exterior of structure not in good repair or with missing, damaged or deteriorated materials including roof shingles, siding, fascia boards, trim, shutters, porch skirting, etc.
- Roof and roof shingles not in good condition or covered with tarp in excess of 30 days if repairs being made.
- Porches and stairs not stable or free of cracked boards or block.



Landscaping

- Lawns, trees, shrubs, and flowers creating a visual barrier, safety, or environmental hazard; grass more than 8" in height; overgrown shrubs not providing a clear view of front entrance and create a visual barrier or hazard.



How do I Report a Violation?

Possible violations can be reported by calling the CEU at (810) 984-9797, by submitting an on-line complaint at www.porthuron.org, or by visiting the CEU in Room 412 on the Fourth Floor of the MOC, Monday – Friday between 8:00 a.m. to 4:30 p.m.

Inspection Procedures

Upon report of a possible violation, a Code Enforcement Inspector will conduct an investigation to confirm the existence of the alleged code violation. The Inspector will also attempt to contact the resident if the unit is occupied.

Enforcement Process

Once a violation is confirmed, the inspector will issue a blight violation notice/ticket to the property owner or occupant responsible for the violation(s). There are two types of tickets - a "Fix-It" Ticket and a "Ticket" which assess civil fines for each violation and set a date for a hearing before the AHO. The differences between the two tickets are:

- Fix-It Ticket: A violator is given a specific amount of time to correct the violation. If corrected, the ticket and fines are dismissed. If not corrected, the violator can pay the fine but must appear before the AHO, or they can dispute the violation and appear before the AHO.

- **Ticket:** Depending upon the history of the violator, an Inspector may choose to schedule a hearing without the "Fix-It" alternative and the violator must attend the hearing.

What is the Administrative Hearing Bureau?

An individual receiving a blight violation notice/ticket has the right to attend a hearing and present a defense to the violation. Hearings are presided over by the AHO, who will make a finding of fact and issue a written decision and Order of Judgment. The Order, which is a state civil judgment, is treated the same as any other state court judgment for enforcement purposes.

Fine and Penalties

Fines and penalties can include:

- Civil fine contained in the ticket
- City costs to fix uncorrected violations
- State-mandated Justice System Assessment Fee of \$10.00 for each violation
- Additional civil fines of up to \$10,000.

What Are The Payment Options?

Cash payments must be made in person at the Treasurer's Office located on the first floor of the Municipal Office Center (MOC), Monday through Friday, 8:00 a.m. to 4:30 p.m.. Bank/personal checks and money orders (made payable to the City of Port Huron can be made in person or sent to: Treasurer's Office, 100 McMorran Boulevard, Port Huron, MI 48060.

What If Payment Is Not Made?

If the blight violation is ignored and the defendant or their attorney do not appear at the hearing, a Default Order will be issued finding the defendant responsible for the blight violation.

If the defendant fails to pay the amount of the Order, collection actions will be commenced, which may include garnishment of wages, attachment of bank accounts and assets, and imposition of liens upon real property.

Can An Order Be Appealed?

An appeal of an Order by the AHO must be filed with the St. Clair County Circuit Court within 28 days. For an Order of Default, a defendant may file a petition to set aside the Order within 21 days. Petition forms are available in the CEU office.

How Do I File An Appeal?

You may appeal an Administrative Hearing Officers decision by filing a claim of appeal within 28 days of the final decision with:

St. Clair County Circuit Court
201 McMorran Blvd. Port Huron, MI 48060
(810) 985-2031

You must also post a bond equal to the fine and costs imposed by the Administrative Hearings Officer with:

City of Port Huron
Administrative Hearings Bureau
100 McMorran Blvd, Room 412
(810) 984-9797

Once bond is posted, failure to comply with requirements of Supreme Court rules for an appeal to the circuit court will result in the appeal being considered abandoned and may be dismissed on seven (7) days notice. If the appeal is dismissed or the decision of the AHO is upheld, the bond shall be applied to the fine and costs.

How can I obtain Information about an AHB case?

A Freedom of Information Act (FOIA) request must be submitted to the City Clerk's Office. Forms can be obtained from the City's web site at www.porthuron.org or by calling the Clerk's Office at (810) 984-9725.

City of Port Huron Department of Public Safety Code Enforcement Unit



Reporting and Enforcement Guidelines

City of Port Huron, Michigan
100 McMorran Boulevard
Port Huron, MI 48060
(810) 984-9797
www.porthuron.org