

THE DOUGLASS TOWNSHIP INOPERABLE VEHICLES ORDINANCE

Ordinance Number 92-1

SECTION I - PURPOSE

An ordinance to secure the public health, safety and general welfare by providing standards and regulations for the storage, placement and accumulation of unlicensed and inoperable vehicles and motor vehicles; to reduce blight, blighting factors and causes blight serving to adversely influence the scenic beauty and attractiveness of neighborhoods; to exercise a valid and reasonable interest in the preservation of property values and the reasonable use and enjoyment of property; and to provide penalties for violations of this ordinance.

The Board of Trustees has deemed this ordinance to be in the public interest because the storage, placement and accumulation of unlicensed and inoperable vehicles and motor vehicles are determined to be;

A blight or blighting factor adversely influencing the attractiveness and scenic beauty of neighborhoods within the community;

Not conducive to the reasonable use and enjoyment of adjoining lands and property when viewed from those lands and property;

Inimical to the preservation of property values because of their blighting influence;

An attractive nuisance to children, thus endangering their health, safety and general welfare;

Attractive to thieves and vandals, thus endangering the safety and welfare of neighborhoods;

Capable of providing harborage for waste materials and vermin that may be destructive, annoying or injurious to the health, safety and general welfare of neighborhood residents, and;

Capable or creating or enhancing fire and explosion hazards.

SECTION II - TITLE

This Ordinance shall be known and may be cited as "The Douglass Township Inoperable Vehicles Ordinance."

SECTION III - LEGAL BASIS AND SCOPE

This ordinance has been adopted under authority of P.A. 246 of 1945, and shall apply to all land in Douglass Township except vehicle and motor vehicle storage facilities and salvage yards as may be specifically permitted and regulated by the Douglass Township Zoning Ordinance.

SECTION IV - DEFINITIONS

The following definitions shall apply to the administration, interpretation and enforcement of this ordinance;

4.1 VEHICLE

Every device, moving support or container in, upon or by which any persons, goods or property is or may be transported from one place to another along the ground or upon a highway, excepting devices exclusively moved by human power or used exclusively upon stationary rails. The term vehicle includes, but is not limited to, trailers, travel trailers or trailer coaches, semi-trailers and pole-trailers.

4.2 MOTOR VEHICLE

Every vehicle which is self propelled, but not operating on rails. The term motor vehicle includes, but is not limited to, automobiles, trucks, truck tractors, motor homes, busses, mopeds, snowmobiles, motor cycles, off-road vehicles, earth moving and construction equipment.

4.4 INOPERABLE VEHICLE OR MOTOR VEHICLE

Every dismantled or distressed vehicle or motor vehicle which is incapable of performing the function for which it was designed or fabricated, or is incapable of being propelled and operated along the ground or a highway under its own power, or is incapable of being operated on highways of the State of Michigan by virtue of lacking equipment required by the Michigan Motor Vehicle Code, or which does not bear current and valid license plates. The term inoperable vehicle or motor vehicle does not include farm tractors or implements of husbandry.

4.5 DISMANTLED VEHICLE OR MOTOR VEHICLE

Every vehicle or motor vehicle from which component vehicle parts have been removed including but not limited to a broken window or windshield, wheels and tires, motor, transmission, body panels, etc.

4.6 DISTRESSED VEHICLE OR MOTOR VEHICLE

Every vehicle or motor vehicle that has been wrecked, destroyed or damaged to the extent that incapable of performing the function for which it was

designed or fabricated, or is incapable of being propelled and operated along the ground or a highway under its own power, or is incapable of being operated on highways of the State of Michigan.

4.8 VEHICLE OR MOTOR VEHICLE COMPONENT PARTS

All parts or accessories of vehicles and motor vehicles including, but not limited to, tires, wheels, body panels, motors and motor parts, transmissions, doors, trim, axles, etc..

4.9 PERSON

A human being, association or organization having legal rights and duties.

SECTION V - STANDARDS AND REGULATIONS

- 4.1 No person shall accumulate, place, store, or permit the accumulation, placement or storage of inoperable vehicles or motor vehicles or vehicle or motor vehicle parts for a period of time exceeding seven (7) consecutive calendar days or 168 consecutive hours on any land in Douglass Township except as specifically permitted by this Section.
- 4.2 No inoperable vehicles or motor vehicles may be accumulated, placed or stored outside of a fully enclosed building or an opaquely fenced or landscaped enclosure designed and maintained to screen the view of such vehicles and motor vehicles from adjoining properties during all seasons of the year;
- 4.3 No person shall accumulate, place, store or permit the accumulation, placement or storage of vehicle or motor vehicle component parts outside of a fully enclosed building or an opaquely fenced or landscaped enclosure designed and maintained to screen the view of such vehicles and motor vehicles from adjoining properties during all seasons of the year;

SECTION VI - NUISANCE

The accumulation, placement and storage of refuse in violation of this ordinance shall constitute a nuisance per se.

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SECTION VIII - REPEAL

This ordinance shall repeal and supersede all other Douglass Township Ordinances and parts of ordinances that duplicate or conflict with the provisions of this ordinance.

SECTION IX - SEVERABILITY

The various parts, sections, subsections, sentences and paragraphs of this ordinance are severable. If any part, section, subsection, sentence and paragraph of this ordinance is judged unconstitutional or invalid, then the remainder of the ordinance shall not be affected by such judgement.

SECTION X - EFFECTIVE DATE

I, Sharlene Hopp, Douglass Township Clerk, certify that this document is a true and complete copy of ordinance number 92-1 adopted by the Douglass Township Board of Trustees on a motion by Terry Anderson and seconded by Ronnie Rasmussen, at a regular Board of Trustees meeting held on November 11, 1992.

Number of votes aye:-5-

Number of votes nay:-0-

Abstentions:-0-

Members voting aye: G. Jeppesen, S. Hopp, V. Hey, R. Rasmussen & T. Anderson

Members voting nay: None

ORDINANCE DECLARED ADOPTED

I certify that a true copy of this ordinance was published in the Greenville Daily News on Nov 25, 1992, and shall be effective 30 days after its publication. I further certify that an attested copy of this ordinance was filed with the Montcalm County Clerk on Nov 30, 1992.

Sharlene Hopp
Douglass Township Clerk