

ORDINANCE NO. 269

GRAND RAPIDS TOWNSHIP INOPERABLE MOTOR VEHICLE ORDINANCE

AN ORDINANCE TO REGULATE THE OUTDOOR STORAGE OF INOPERABLE MOTOR VEHICLES IN THE TOWNSHIP OF GRAND RAPIDS AND TO PROVIDE FOR THE ISSUANCE OF PERMITS AND TO PROVIDE FOR PENALTIES FOR THE VIOLATION HEREOF.

PURSUANT TO THE AUTHORITY OF ACT 246 OF THE PUBLIC ACTS OF 1945 OF THE STATE OF MICHIGAN, AS AMENDED, THE TOWNSHIP OF GRAND RAPIDS ORDAINS:

Section 1. Storage of Inoperable Motor Vehicles or Parts Thereof. It is hereby declared to be unlawful for any person, firm or corporation to store, place or permit to be stored or placed, any inoperable motor vehicles or any part or parts of a motor vehicle on land located in the Township of Grand Rapids, except as the same may be permitted under the provisions of the Zoning Ordinance of the Township of Grand Rapids, unless said inoperable motor vehicle or part or parts of a motor vehicle shall be kept in a wholly enclosed and roofed garage or other wholly enclosed and roofed building; provided, however, that any owner or occupant of said land may store or permit to be stored one (1) such inoperable motor vehicle for a period of not to exceed forty-eight (48) hours if such a motor vehicle is registered in his, her or its name; and provided further, that any such owner or occupant, in the event of hardship and upon payment of the fee hereinafter provided, may secure a permit from the Building Inspector of the Township of Grand Rapids to extend such period of forty-eight (48) hours for an additional period of not to exceed one (1) week for any one (1) such inoperable motor vehicle. This Ordinance shall not be construed to permit the parking or placing of inoperable motor vehicles on any street in the Township or in any front yard as such is defined by the Zoning Ordinance of the Township of Grand Rapids.

Section 2. Permits. Upon application duly made by the registered owner of a motor vehicle and upon a showing of hardship, which hardship can be eliminated by an extension of time as herein permitted, the Building Inspector of the Township of Grand Rapids is hereby authorized to issue a permit as provided in Section 1. hereof. No such permit shall be granted for more than one (1) week for any motor vehicle. A fee of One Dollar (\$1.00) shall be collected for each such permit so issued, and shall be paid into the general fund.

Section 3. Definitions.

(a) Motor vehicle is hereby defined as any wheeled vehicle which is or is intended to be operable as a self-propelled vehicle.

(b) An inoperable motor vehicle is defined as a motor vehicle which does not bear valid registration plates as required by the Michigan Vehicle Code (MCLA 257.1 *et seq.*; MSA 9.1801 *et seq.*) or which by any reason of dismantling, disrepair, or other cause is incapable of being propelled under its own power, or is unsafe for operation on the streets and highways of this State due to inability to comply with the Michigan Vehicle Code (MCLA 257.1 *et seq.*; MSA 9.1801 *et seq.*).

Section 4. Construction. This Ordinance shall not be construed as repealing any ordinance now in effect or hereafter made effective relating to the keeping of rubbish, litter, garbage refuse, trash or junk, but shall be construed as supplementary to any such ordinances as well as to any statutes of the State of Michigan relating thereto.

Section 5. Nuisance. The presence of an inoperable motor vehicle or parts of a motor vehicle in violation of the terms of this Ordinance is hereby declared to be a public nuisance.

Section 6. Municipal Civil Infraction

(a) Any person who violates any provision of this Ordinance is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$50.00, plus costs and other sanctions, for each violation (as authorized by Section 21 of Act No. 359 of the Public Acts of 1947, as amended, and the Grand Rapids Charter Township Municipal Civil Infraction Ordinance).

(b) Repeat offenses under this Ordinance shall be subject to increased fines as provided by this Section, below. As used in this Section, a repeat offense means a second (or any subsequent) violation of the same requirement or provision of this Ordinance (i) committed by a person within any 90 day period and (ii) for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this Ordinance shall be as follows:

(1) The fine for any offense which is a first repeat offense shall be not less than \$250.00, plus costs.

(2) The fine for any offense which is a second repeat offense, or any subsequent repeat offense, shall be not less than \$500.00, plus costs.

(c) Each day on which any violation of this Ordinance occurs or continues constitutes a separate offense subject to separate sanctions.

(d) The Building Inspector is hereby designated as the authorized township official to issue municipal civil infraction citations for violations of this Ordinance, as provided by the Grand Rapids Charter Township Municipal Civil Infraction Ordinance. As used in this Ordinance, ABuilding Inspector@ means the township official, employee, agent or other entity appointed by resolution of the Township Board to perform the functions and tasks assigned by this Ordinance to the ABuilding Inspector.@

(e) In addition to any remedies available at law, the township may bring an action for an injunction or other process against any person to restrain, prevent or abate any violation of this Ordinance. **[Section 6 amended 5/3/95 by Ord. 325]**

Section 7. Severability.

The provisions of this Ordinance are hereby declared to be severable, and if any clause, sentence, paragraph, section or sub-section is declared to be void or ineffective for any reason, it shall not affect any other part or portion hereto.

Section 8. Effective Date.

This Ordinance shall be effective July 27, 1966 and as amended May 26, 1983.

