

TOWNSHIP OF SPRING ARBOR

AN AMENDMENT AND RESTATEMENT OF ORDINANCE NO. 2-B

At a regular meeting of the Spring Arbor Township Board held on the 9th day of January, 2012 at 7:00 p.m. Eastern Standard Time, in the Township Hall, the following Amendment and Restatement of Ordinance No. 2-B was offered by Member Ganton and seconded by Member Herlein.

WHEREAS, it is necessary to amend and restate in its entirety Ordinance No. 2-B.

NOW, THEREFORE, THE TOWNSHIP OF SPRING ARBOR ORDAINS that Ordinance No. 2-B be amended and restated in its entirety to read as follows:

SECTION 1. PURPOSE

It is hereby determined to be necessary for the public health, safety, and welfare of Spring Arbor Township to regulate and control the storage of any dismantled, partially dismantled, or inoperable motor vehicles or parts thereof.

SECTION 2. DEFINITIONS

For the purposes of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

a. Dismantled and partially Dismantled Motor Vehicles – Motor vehicles from which some part or parts which are ordinarily a component of the motor vehicle has been removed or is missing.

b. Inoperable Motor Vehicles – Motor vehicles which, by reason of dismantling, disrepair, or other cause, are incapable of being propelled under their own power.

c. Motor Vehicles – Any motor vehicle which does not bear a currently effective license issued by the State of Michigan shall be considered an inoperable motor vehicle, except that recreational vehicles, seasonal vehicles, or vehicles owned by a person in the military

service need not bear a current Michigan license. Providing however, that recreational vehicles and seasonal vehicles not bearing a currently effective license may not be parked or stored on the premises for a period in excess of 6 months during any 1 year except in an enclosed structure.

SECTION 3. UNLAWFUL ACTS

No person, firm, or corporation shall park or store any dismantled, partially dismantled, or inoperable motor vehicle or parts thereof on any premises in the Township for a period of more than 7 days continuously, and no person, firm, or corporation shall permit any dismantled, partially dismantled, or inoperable motor vehicle or parts thereof to remain on any premises in the Township for a period of more than 30 days consecutively.

SECTION 4. EXCEPTION

This Ordinance shall not apply to dismantled, partially dismantled, or inoperable motor vehicles or parts thereof stored in a closed building, or to dismantled vehicles, partially dismantled vehicles, partially dismantled or inoperable motor vehicles stored in a duly established automobile wrecking establishment that has and is complying with all of the Ordinances of the Township and the Statutes of the State of Michigan, or to the storage of such dismantled, partially dismantled, or inoperable motor vehicles by a duly established garage for a period of less than six (6) months.

SECTION 5. PUBLIC NUISANCE

The presence of any dismantled, partially dismantled, or inoperable motor vehicle or parts thereof, outdoors on any premises in the Township in violation of this Ordinance is hereby declared to be a public nuisance.

SECTION 6. PENALTY

Any person, firm or corporation who violates any provision of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
First offense within 3 year period*	\$75.00	\$500.00
Second offense within 3 year period*	\$150.00	\$500.00
Third offense within 3 year period*	\$325.00	\$500.00
Fourth offense within 3 year period*	\$500.00	\$500.00

*Determined on the basis of the date of commission of the offense.

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Spring Arbor Township has been put in connection with municipal civil infraction. In no case, however, shall costs of less than \$9.00 or more than \$500.00 be ordered. In addition, the Township shall have the right to proceed in any Court of competent jurisdiction for the purpose of obtaining an injunction, restraining order or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation of this Ordinance continues to exist shall constitute a separate offense.

SECTION 7. SEVERABILITY

This Ordinance is hereby declared to be severable and should any part, provision or paragraph hereof be declared invalid by a Court of competent jurisdiction, it shall not affect the remaining provisions hereof.

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 8. EFFECTIVE DATE

This Ordinance shall take effect and be enforced from and after the earliest date allowed by law. This Ordinance shall be published in the manner provided by law.

MEMBERS PRESENT: Buck, Fortress, Freehling, Ganton, Gibbs, Herlein and Stonestreet

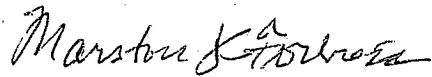
MEMBERS ABSENT: none

AYES: Buck, Fortress, Freehling, Ganton, Gibbs, Herlein and Stonestreet

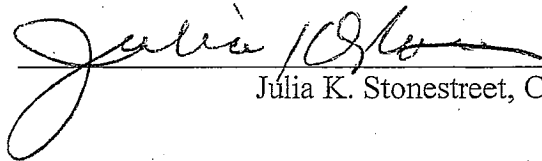
NAYS: none

Adopted: January 9, 2012

Effective: February 23, 2012



Marston, J. Fortress, Supervisor



Julia K. Stonestreet, Clerk