

LAGRANGETOWNSHIP ORDINANCE NO. _____

VEHICLE STORAGE AND REPAIR

Adopted: _____

Effective: _____

An Ordinance to secure the public peace, health, safety and welfare of the residents and property owners of LaGrange Township, Cass County, Michigan, a municipal corporation, by the regulation of the outdoor parking, storage and repair of vehicles, including any conveyance, trailer, boat, aircraft, cargo containers, semi-truck trailers, truck boxes and new or used parts or junk therefrom, within said Township of LaGrange; to define types of conveyances and to prohibit the utilization of the various types of conveyances for storage or as storage structures on real property premises within the Township; to provide civil sanctions and remedies for the violation of this Ordinance; and to repeal any Ordinance or parts of Ordinances in conflict herewith.

THE TOWNSHIP OF LAGRANGE

CASS COUNTY, MICHIGAN

ORDAINS:

SECTION I

NAME

This Ordinance shall be known and as the LaGrange Township Vehicle Storage and Repair Ordinance.

SECTION II

PURPOSE

The purpose of this Ordinance is to limit and restrict the outdoor storage, parking, repair or unreasonable accumulation of junk, unused, partially dismantled or nonoperating vehicles, including any conveyance, trailer, boat, aircraft or new or used parts thereof, upon premises within the Township; to provide restrictions concerning the repairing of said vehicles; to avoid injury and hazards to children and others attracted to such vehicles; to define common types of conveyances, such as motor homes, recreational vehicles, mobile house trailers, mobile homes, campers, jet skis and off road vehicles; to insure that conveyances are utilized only for their intended purposes and not for, as, or in the place of a storage structure or unit on premises within the Township; and to

minimize the devaluation of property values and the psychological ill effects of the presence of the same upon adjoining residents and property owners.

SECTION III

DEFINITIONS

- (A) "Vehicle" means any vehicle, motorized or not, operated or designed to be operated on public or private highways, streets or roads. "Vehicle" also means any conveyance or machine, motorized or not, that is required to be licensed and/or registered, including, but not limited to, boats, snowmobiles, jet skis, personal water craft, scooters, dirt bikes, off road vehicles and any type of trailer, camper or recreational vehicle.
- (B) For purposes of this Ordinance, the terms "camper," "recreational vehicle," and "trailer" shall be synonymous and are intended to mean that group of conveyances which are required to be licensed and/or registered by the State of Michigan; that are capable of being moved on their own chassis or wheels upon public or private highways, streets or roads, either with or without its motive power; which can be utilized or occupied as a temporary residence or vacation structure for limited time periods; which are not designed to be permanently connected to electrical power, water, sewage and potable water utilities; whether or not said unit is actually operational for use as a vacation trailer or temporary dwelling.
- (C) "Main component parts" shall, for the purpose of this Ordinance, mean those parts required by State law or by necessity for its operation upon a public highway, waterway or airway.
- (D) "Inoperable" means a vehicle or machinery with any of the following conditions in existence:
 - 1. Where the vehicle or machinery is being dismantled for the sale, salvage, repair or reclamation of parts thereof;
 - 2. Where the vehicle or machinery does not have all of its main component parts properly attached;
 - 3. Where any other or additional conditions exist which cause the vehicle to be incapable of being driven under its own power, lawfully, upon the public streets.
 - 4. Where any other or additional conditions exist which cause the machinery to be incapable of being used for the purpose for which it was designed.

- (E) “Unoccupied mobile home” shall mean a movable or portable structure constructed to be towed on its own chassis and designed for permanent year-round living as a single family dwelling which is not presently being occupied, is not attached to sanitary sewer or septic facilities and is not connected to electrical power and potable water utilities.

SECTION IV

REGULATIONS

- (A) No person, firm or corporation shall park or store or permit to be parked or stored upon any premises within LaGrange Township any vehicle, including any conveyance, boat, aircraft, or trailer of any kind, or new or used parts therefrom unless: :
1. Such vehicle, including any conveyance, boat, aircraft or trailer of any kind, is located on a lot or parcel with an existing, permitted and lawful principal structure.
 2. Such parking or storage is located within a fully-enclosed building;
 3. If such parking or storage is not located within a fully enclosed building, a special permit is first obtained therefor for a period of not to exceed 45 days from the Supervisor of LaGrange Township or such other officer or official as the Township Board may designate, to be granted only in special hardship cases beyond the control of the applicant, where special or peculiar circumstances exist, where no adjoining property owner is adversely affected thereby and where the spirit and purpose of these regulations are still observed. In such case, any parking or storage of a vehicle, including any conveyance, boat, aircraft or trailer of any kind, shall only be located in a rear or sideyard;
 4. Such vehicle or conveyance is licensed or registered by the State of Michigan, is an operable vehicle or conveyance, has all of its main component parts attached, and is, in fact, regularly operated for its designed purpose;
 5. Such vehicles, boats, trailers, aircraft or conveyances are located in a duly licensed and properly zoned junkyard, salvage yard, new or used car dealer's lot, automobile repair facility or storage yard where such uses or operations are legally authorized under the Township Zoning Ordinance.
 6. Such vehicle or vehicles are awaiting repairs or delivery to owners at an authorized service station, garage, paint shop, or body shop registered with the State of Michigan pursuant to 1974 PA 300, as

amended, provided such vehicle or vehicles are locked, licensed by the State of Michigan, and are not a public nuisance. In such case, such vehicle(s) shall only be stored in a side or rear yard or as designated on an approved site plan.

7. Such vehicle, boat, trailer, aircraft or conveyance, although temporarily inoperable because of minor mechanical failure, has substantially all of its main component parts attached; is, where subject to a license or registration, licensed or registered by the State of Michigan; is not in any manner a dismantled vehicle; and the premises do not contain any such vehicle, boat, aircraft, trailer or conveyance for longer than 14 days in any one calendar year. In such case, such vehicle, boat, trailer, conveyance or aircraft must be located in a side or rear yard.
- (B) No repairing, redesigning, modifying or dismantling work or operations shall be allowed upon any vehicle, boat, trailer, aircraft or conveyance or parts thereof upon any public right-of-way or public property (except for emergency minor repairs not exceeding one hour in duration) or upon any property not zoned for such purpose except such occasional minor work by the owner thereof as may infrequently be required to maintain the same in normal operating condition and as shall be accomplished within fully enclosed buildings; will not constitute a nuisance or annoyance to adjoining property owners or occupants; and does not violate any provisions of the LaGrange Township Zoning Ordinance.
- (C) The foregoing shall not be construed to prohibit the storage of farm machinery, farm vehicles, farm equipment and materials used for agricultural purposes upon an operating farm of not less than twenty (20) acres. Farm equipment not in use but stored for parts shall be stored in an area screened from adjacent properties and roads by natural land contours and by evergreen screening and/or fencing. All outside storage of farm equipment not used but stored for parts shall be located a minimum of one hundred and fifty feet (150') from any property line. Additionally, in the A-P and A-G zoning districts, semi truck trailers may be used for storage, provided that the semi truck trailers are located a minimum of one hundred and fifty feet (150') from any property line and are screened from adjacent properties and roads by natural land contours and by evergreen screening and/or fencing.
- (D) Trailers, campers, mobile house trailers, semi-truck trailers, campers, recreational vehicles and other conveyances may be parked or stored upon premises in LaGrange Township so long as the same are 1) licensed; and 2) operable; and 3) regularly used for their intended purposes. No trailer, camper, mobile house trailer, semi-truck trailer, camper, recreational vehicle, unoccupied mobile home or other

conveyance shall be parked, placed, or stored upon premises in LaGrange Township for use as a storage building or unit, except in the A-G and A-P district, as provided above in Section (C); nor shall any of the above be permitted to be utilized as storage unit or structure upon real property premises within LaGrange Township, except as provided in the A-G and A-P zoning districts, as provided above in Section (C).

SECTION V

NUISANCE

Any parking, storage, placement or operations in violation of the provisions of this Ordinance are hereby declared to be a public nuisance which may be enjoined or which may subject the violator to the fines and penalties herein provided for.

SECTION VI

SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this Ordinance other than said part or portion thereof.

SECTION VII

SANCTIONS

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

	<i>Minimum Fine</i>	<i>Maximum Fine</i>
- 1st Offense within 3-year period*	\$ 75.00	\$500.00
- 2nd Offense within 3-year period*	150.00	500.00
- 3rd Offense within 3-year period*	325.00	500.00
- 4th or More Offense within 3-year period*	500.00	500.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which LaGrange Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor 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 exists shall constitute a separate offense.

SECTION VIII

REPEAL

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed; however, legal proceedings presently pending on an Ordinance which is hereby repealed may proceed to judgment or decision and shall not be affected by this Ordinance.

SECTION IX

EFFECTIVE DATE

This Ordinance shall take effect eight days after publication following adoption.

LAGRANGE TOWNSHIP
Amy Juroff, Clerk
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Cassopolis, Michigan 49031
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