

**SIDNEY TOWNSHIP, MICHIGAN
JUNK AND INOPERABLE VEHICLES
ORDINANCE #06-2003 A**

WHEREAS, the presence of junk and inoperable vehicles and motor vehicles on public or private lands constitutes an attractive nuisance for children, and endangers their safety; provides harborage for vermin; creates or enhances fire hazards, causes neighborhoods to become unsightly resulting in the depreciation of property values and, if on city streets or public highways, creates a traffic hazard and endangers the public safety:

NOW THEREFORE, THE TOWNSHIP OF SIDNEY, MONTCALM COUNTY, MICHIGAN, ORDAINS that Ordinance #06-2003 A read as follows:

Sec. 1 DEFINITIONS.

- A. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon rails or tracks.
- B. "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from over-head trolley wires, but not operate upon rails.
- C. "Inoperable vehicle or motor vehicle" means any vehicle or motor vehicle which cannot be started or legally or physically operated on city streets or public highways by virtue of lacking the equipment required by the laws of the State of Michigan, or which does not bear valid and current license plates.
- D. "Junked vehicles or motor vehicles" includes all parts or accessories of vehicles or motor vehicles without which vehicles or motor vehicles cannot be operated in a safe manner on city streets or public highways.
- E. "Junked vehicles or motor vehicles" means vehicles or motor vehicles which have been so damaged or dismantled as to be total losses.
- F. "Total loss" means the cost to repair a damaged or dismantled vehicle or motor vehicle exceeds the fair market value for such vehicle. Fair market value may be determined by using any nationally recognized appraisal book or method.

Sec. 2 STORAGE OF INOPERABLE OR JUNKED VEHICLES OR MOTOR VEHICLES.

No person, firm, or corporation shall accumulate, store, place or permit the accumulation, storage, or placement of any inoperable or junk vehicle or motor vehicle in Sidney Township, for more than 48 hours, unless such inoperable or junk vehicle or motor vehicle is stored in compliance with the Zoning Ordinance of Sidney Township or in enclosed garages or other structures.

Sec. 3 PRIMA FACIE EVIDENCE.

The ownership, occupation or use of land by any person, firm or corporation upon which an inoperable or junked vehicle or motor vehicle are accumulated, stored, or placed shall be prima facie evidence that such person, firm, or corporation accumulated, stored or

placed such inoperable vehicle or motor vehicle upon such land, or permitted such inoperable vehicle or motor vehicle to be accumulated, stored, or placed upon such land.

Sec. 4 PENALTIES FOR VIOLATION

- A. Any person, firm, corporation, trust, partnership or other legal entity that violates or fails to comply with any provision of this Ordinance, and the owner of any land where anything in violation of this Ordinance shall be placed or shall exist, shall be responsible for a municipal civil infraction, for which the fine shall be not less than \$50.00 nor more than \$500.00 for each violation, in the discretion of the Court, and in addition to all other costs, damages and expenses provided by the law.
- B. Each day that a violation continues to exist shall constitute a distinct and separate offense, and shall make the violator liable for the imposition of a fine for each day.
- C. The Township of Sidney or the Montcalm County Sheriffs Dept. is authorized to investigate and issue citations for the violations of this Ordinance.
- D. The foregoing penalties shall not prohibit the Township from seeking injunctive relief against a violator or such other appropriate relief as may be provided by law.


Sec. 5. EFFECTIVE DATE

- A. This ordinance shall take effect 30 days following publication of this Ordinance, or a summary thereof, as provided by the law.
- B. This Ordinance was Adopted by the Sidney Township Board as its meeting held on 2ND day of JUNE, 2003.

YEAS: 5


NAYS: 0

ORDINANCE DECLARED ADOPTED



Wesley Thomsen, Sidney Township Clerk

I hereby certify that the foregoing is a true and complete copy of the Sidney Township Ordinance #06-2003 A adopted by the Sidney Township Board at a regular meeting held on the date stated above, and I further certify that public notice of such meeting was given as provided by law.



Wesley Thomsen, Sidney Township Clerk

AMENDED SECTION C AT REGULAR MEETING DATED 2/7/05

