

ORDINANCE NO. 23
OPEN STORAGE OF DISABLED AUTOMOBILE AND REPAIR

SECTION 1. DISABLED MOTOR VEHICLES - No person shall permit any disabled motor vehicle to be parked, stored, placed, or allowed to remain within Iron River Township in violation of the provisions of the Ordinances of the Township.

SECTION 2. DISABLED MOTOR VEHICLES.- PROHIBITED ON STREETS: Disabled motor vehicles shall not be permitted in the rights of way of the streets or highways within the Township; provided, however, that this shall not apply to towing or similar transporting of such vehicles; and provided further, that the reasonable time (not to exceed 12 hours from the time of disability) shall be permitted for the removal or servicing of a disabled vehicle in an emergency caused by accident or sudden breakdown of the vehicle.

SECTION 3. DISABLED MOTOR VEHICLES - FRONT YARD: Disabled motor vehicles or any parts of a motor vehicle shall not be permitted in the front yard of a parcel of land upon which there is a structure used in whole or in part as a dwelling, unless said disabled motor vehicle or parts of a motor vehicle shall be kept in a wholly enclosed garage or other wholly and enclosed structure.

SECTION 4. DISABLED MOTOR VEHICLES - SIDE OR REAR YARDS: One disabled motor vehicle may be permitted in a side or rear yard of a residential, commercial, or industrial lot as an accessory use to the main use of the lot. Service and repair work may be performed on such vehicle and incidental thereto parts, tools, and equipment may be stored and used. Nothing contained herein shall be construed as authorizing and disassembling, tear down, or scrapping of a motor vehicle, or to permit one motor vehicle to be scavenged or stripped for parts for use on another motor vehicle. Provided, however, that a disabled vehicle shall not be permitted to remain outside of a building for a period in excess of thirty (30) days on any lot used for residential purposes or on that portion of any lot within 5 (five) feet of an abutting lot.

SECTION 5. DISABLED MOTOR VEHICLES - NOISE: Service and repair of a disabled motor vehicle which is conducted entirely within the confines of an accessory garage shall be permitted; provided, that the tearing down, stripping, or junking of a motor vehicle between the hours of 9 p.m. and 8 a.m, shall not be permitted when loud or unusual noise annoys, injures or endangers the comfort, repose, health or safety of the public.

SECTION 6. DISABLED MOTOR VEHICLES - WHERE PERMITTED: Storage, repair and servicing of disabled motor vehicles not authorized herein, and the tearing down, stripping, or junking of motor vehicles shall be permitted, only where and when such use is specifically authorized, permitted, or licensed under other Ordinances of the Township, and in accordance therewith.

SECTION 7. DISABLED MOTOR VEHICLES - ENFORCEMENT: It shall be the duty of the Township Supervisor to enforce this Ordinance.

SECTION 8. DISABLED MOTOR VEHICLES - DEFINITION:

(A) Motor vehicles are hereby defined as any wheeled vehicles which are self-propelled or intended to be self-propelled.

(B) Disabled motor vehicles are defined as motor vehicles which are incapable of being self-propelled upon the public streets, or which do not meet the requirement for operation upon the public streets, including a current license.

(C) Dwelling is any house, building, structure, tent, shelter, trailer or vehicle or portion thereof which is occupied in whole or in part as the home, residence, living or sleeping place, or which is intended to be occupied by one or more human things, either permanently or transiently.

SECTION 9. DISABLED MOTOR VEHICLES - CONSTRUCTION: This Ordinance shall not be construed as repealing any Ordinance now in effect or hereafter made effective relating to rubbish, litter, garbage, refuse, trash or junk, but shall be construed as supplementary to such Ordinances as well as any Statutes of the State of Michigan relating thereto.

SECTION 10. DISABLED MOTOR VEHICLES - NUISANCES: The presence of a dismantled, partially dismantled or disabled motor vehicle or parts of a motor vehicle on any platted or unplatted parcel of land in violation of the terms of this Ordinance is hereby declared to be a public nuisance.

SECTION 11. DISABLED MOTOR VEHICLE - PENALTIES: Any person, firm or corporation who shall violate or assist in the violation of any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than one hundred Dollars (\$ 100) or by imprisonment in the County Jail for a period of not exceeding ninety (90) days, or both such fine and imprisonment. Every day that such violation continues shall constitute a separate and distinct violation under the provisions of this Ordinance.

SECTION 12. DISABLED MOTOR VEHICLES - SEVERABILITY: The provisions of this Ordinance are hereby declared to be severable, and if any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason, it shall not effect any other part or portion hereof.

SECTION 13. DISABLED MOTOR VEHICLES - EFFECTIVE DATE: This Ordinance shall take effect on July 4, 1990.

AMENDMENT TO ORDINANCE NO. 23

Ordinance No. 23 is amended as follows:

SECTION 11. DISABLED MOTOR VEHICLES - PENALTIES: Amended to include the capitalized words:

SECTION 11. DISABLED MOTOR VEHICLES - PENALTIES: Any person, firm or corporation who shall violate or assist in the violation of any provision of this Ordinance shall be guilty of a misdemeanor punishable by a fine of not more than One Hundred Dollars (\$100.) or by imprisonment in the County Jail for a period of not exceeding ninety (90) days, or both such

fine and imprisonment PLUS ALL COSTS OF PROSECUTION, INCLUDING ACTUAL ATTORNEY FEES. Every day that such violation continues shall constitute a separate and distinct violation under the provisions of this Ordinance.

This amendment shall be effective thirty (30) days after its publication.

Ordained this ___ day of February 1999