



**HOPE TOWNSHIP
BARRY COUNTY, MICHIGAN**

ORDINANCE NO 83

ADOPTED: FEBRUARY 8, 2016

EFFECTIVE: MARCH 19, 2016

An ordinance to secure the public peace, health, safety and welfare of the residents and property owners of the Township of Hope, Barry County, Michigan, a municipal corporation, by the regulation of the outdoor parking and storage of motor vehicles, tractor trailers, house trailers, and new or used parts of junk therefrom, within the Township of Hope; to provide penalties for the violation of this ordinance and to repeal any ordinances or parts of ordinances in conflict herewith.

THE TOWNSHIP OF HOPE

BARRY COUNTY, MICHIGAN

ORDAINS:

SECTION 1
NAME

This ordinance shall be known and cited as the Hope Township Dismantled Vehicle Ordinance.

SECTION 2
PURPOSE

The purpose of this ordinance is to limit and restrict the outdoor storage, parking or unreasonable accumulation of junk, unused, partially dismantled or non-operating motor vehicles, house trailers, or tractor trailers, or new or used parts thereof upon premises primarily used or zoned for any type of residential purpose within the Township; to thereby avoid injury and hazards to children and others attracted to such vehicles or trailers; the devaluation of property values and the psychological ill effect of the presence of such vehicles or trailers upon adjoining residents and property owners.

SECTION 3
REGULATIONS

- A. No person, firm, or corporation shall park, store, or place upon any public right-of-way or public property, or upon any premises that is primarily used or is zoned for any type of residential purpose within the Township, any motor vehicle, house trailer, or tractor trailer or new or used parts therefrom, unless the same is wholly contained within a fully enclosed building and does not violate any zoning or building laws of the Township, County, or State of Michigan, except for the following:



1. Duly licensed and operable vehicles or trailers with substantially all main component parts attached and which are, in fact, regularly used for their intended purposes.
 2. Vehicles or trailers that are temporarily inoperable, because of minor mechanical failure, but which are not, in any manner, dismantled and have substantially all main component parts attached, which may remain upon such private property for not to exceed a cumulative 14 days in any one calendar year.
 3. Not more than one vehicle in fully operating condition, such as a stock car or modified car that has been redesigned or reconstructed for a purpose other than that for which it was manufactured, provided no building or garage is located upon the premises in which the same could be parked or stored. In no event shall any such vehicle be parked in the front or side yard area of any such residential premises.
- B. No repairing, redesigning, modifying or dismantling work or operations shall be allowed upon any vehicle or trailer or parts thereof upon any public right-of-way or public property or on any property primarily used or zoned for any type of residential purpose for a period in excess of 24 hours except such 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 provision of the Hope Township Zoning Ordinance. Any such work within such 24-hour period heretofore allowed shall not, however, consist of any major repair, redesigning, modifying or dismantling work, but only such occasional minor work as may frequently be required to maintain a vehicle or trailer or parts thereof in normal operating condition.
- C. Vehicle parts, such as engines, tires, fenders, hoods, radiators, roofs, seats, alternators, chassis, and other such items mounted on or part of the functional operation of a vehicle shall at all times be stored within a fully enclosed building.
- D. In the event the foregoing regulations create any special or peculiar hardship beyond the control of the particular violator thereof because of unforeseen circumstances, the Building Inspector and /or Zoning Administrator of the Township is hereby given the authority to grant permission to an application to operate contrary to the provision hereof for a limited period of not to exceed 14 days provided no adjoining property owner or occupant is unreasonably adversely affected thereby and the spirit and purpose of the ordinance are still substantially observed.

SECTION 4 **NUISANCE**

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

SECTION 5 **CONSTRUCTION**



This ordinance shall not prevent the operation of any licensed junk yard, salvage yard, garage, body or paint shop legally operating within a proper zone as defined in the Hope Township Zoning Ordinance, and shall be in addition to any other laws or ordinances respecting rubbish refuse, litter, trash, or junk control and regulations.

SECTION 6
SEVERABILITY CLAUSE

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 the ordinance other than said part or portion thereof.

SECTION 7
PENALTY

Any person, firm or corporation 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 of not more than \$500.00. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law. Each day that a violation continues to exist shall constitute a separate offense. Provisions of this Ordinance may also be enforced by suit for injunction.

A violation of this Ordinance shall be punishable by a civil fine determined in accordance with the following schedule:

| | Minimum Fine | Maximum Fine |
|-------------------------------|-----------------|-----------------|
| --- 1st offense | \$ 100.00 | \$500.00 |
| --- 2nd offense | \$ 200.00 | \$500.00 |
| --- 3rd or subsequent offense | \$ 300.00 | \$500.00 |

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

SECTION 8
EFFECTIVE DATE

This ordinance shall take effect 30 days after publication as required by law. All ordinances or parts of ordinances in conflict herewith are repealed.

Deborah Jackson
Hope Township Clerk