

**ORDINANCE NO. 16
INOPERABLE AND ABANDONED VEHICLES**

AN ORDINANCE TO SECURE THE PUBLIC PEACE, HEALTH SAFETY AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF ROLLIN TOWNSHIP, LENAWEE COUNTY, MICHIGAN, A MUNICIPAL CORPORATION, BY THE REGULATION OF OUTDOOR PARKING AND STORAGE OF VEHICLES AS DEFINED HEREIN, AND NEW OR USED PARTS THEREFROM, WITHIN THE SAID TOWNSHIP; TO PROVIDE PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND TO REPEAL ANY ORDINANCES, OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE TOWNSHIP OF ROLLIN, LENAWEE COUNTY, MICHIGAN, ORDAINS:

Section 1. 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 vehicles as defined herein, 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; the devaluation of property values and the psychological ill effect of the presence of such vehicles upon adjoining residents and property owners.

Section 2. Definitions

- A. Vehicle as used in this ordinance shall mean: Junk, unused, partially dismantled or non-operating motor vehicles; house trailers, tractor trailers, and trailers of any other kind; watercraft; recreation vehicles such as snowmobiles and ATV's; lawnmowers; aircraft; or used parts therefrom.
- B. Fully enclosed building as used herein shall mean a building with roof, windows that are not broken or which may be covered with a wood or metal and with operable doors.

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 vehicle unless the same is wholly contained within a fully enclosed building and does not violate any zoning or building laws of the Township, County, State of Michigan, except for the following:
 - 1. Duly licensed and operable vehicles with substantially all main component parts attached.
 - 2. Vehicles 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 outside a totally enclosed building on such private property for not to exceed 14 days.
 - 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 street yard area of any such residential premises.

- B. No repairing, redesigning, modifying or dismantling work or operation shall be allowed upon any vehicle 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 Rollin Township Zoning Ordinance. Any such work within such 24-hour period heretofore allowed shall not, however, consist of any major repair, re-designing, modifying or dismantling work , but only such occasional repair as may frequently be required to maintain a vehicle in normal operating condition.
- C. In the event the foregoing regulations create any special or peculiar hardship beyond the control of the particular violator thereof because of unforeseen circumstances, he may request an extension in writing from the Zoning Enforcement Officer of the Township who, after consulting with the Township Supervisor, is hereby given the authority to grant or withhold permission to an applicant to operate contrary to the provisions hereof for a limited period not to exceed 14 days provided no adjoining property owner or occupant is 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 the provisions 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 the proper zone as defined in the Rollin 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

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word or 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 the said part or portion thereof.

Section 7. Penalty

- A. Upon discovering a violation of this ordinance, the Zoning Enforcement Officer shall notify the violator orally or in writing, by means of first class letter. Such notice shall give up to 5 days for the violation to be abated or a civil infraction shall be issued. No further notification is required for subsequent violations in a three year period.
- B.. Any person violating any provision of this Ordinance shall be deemed responsible for a civil

infraction. Penalties may be imposed as set forth in Ordinance 34 as amended, the Rollin Township Municipal Civil Infractions Ordinance.

- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection A hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret In addition this Ordinance or any provision of the Ordinance
- C. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting, and shall be considered to have violated the provision of this Ordinance involved for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

Section 8. Effective Date

This ordinance shall take effect 30 days after the publication of this ordinance. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

We certify that the foregoing ordinance was duly enacted by the Township Board of Rollin Township, Lenawee County, Michigan on the _____ day of _____, 20____.

John Jenkins, Supervisor

Denice Combs, Clerk

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Denice Combs, the duly elected Clerk of the Township of Rollin certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Township of Rollin on December 10, 2014 and published in the _____, a newspaper circulated in the Township of Rollin on _____, 2014.

Denice Combs
Township Clerk for the
Township of Rollin