

STATE OF MICHIGAN
COUNTY OF IOSCO
TOWNSHIP OF GRANT
DISMANTLED, JUNK CAR, UNREGISTERED VEHICLES
ORDINANCE

THIS IS AN ORDINANCE TO SECURE THE PUBLIC PEACE, HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF GRANT.

BEING A MUNICIPAL CORPORATION, BY REGULATING THE OUTDOOR PARKING AND/OR STORAGE OF ANY AUTOMOBILES, VEHICLES USED FOR RACING, TRACTOR TRAILERS, HOUSE TRAILERS, ALL-TERRAIN VEHICLES, SNOWMOBILES, TRAILERS OF ANY SORT, INCLUDING RECREATIONAL VEHICLES, BOATS, AND JET SKIS, AND ANY OTHER VEHICLE THAT MUST BE LICENSED BY THE SECRETARY OF STATE, (VEHICLES et al) WITHIN THE TOWNSHIP OF GRANT, AND TO PROVIDE ENFORCEMENT AND PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, the presence of junked, inoperable or abandoned vehicles on public or private property constitutes an attractive nuisance for children and endangers their health and safety; provides harborage for rats and other animals, constituting a menace to public health; creates a fire hazard; causes neighborhoods to become unsightly, resulting in the depreciation of property value; and if on streets or public highways, creates a traffic hazard and endangers the public safety.

THE TOWNSHIP OF GRANT DOES HEREBY ORDAINS:

Section 1. TITLE

The ordinance shall be known and cited as the Township of Grant Dismantled Car/Junk Car and/or Motor Vehicle and/or Boat Ordinance.

Section 2. DEFINITIONS

1. Motor Vehicles: Any vehicle propelled or drawn by any power other than muscular, to include, but not be limited to, automobiles, vehicles used for racing, trucks, buses, tractors, trailers, motorcycles and like vehicles including, but not limited, to junk, unused, partially dismantled, vehicles, or other non-operating motor vehicles, tractor trailers, house trailers, all-terrain vehicles, snowmobiles, trailers of any sort, including recreational vehicles, boats and jet skis, and any other vehicle that must be licensed by the Secretary of State.

2. Junked, inoperable, wrecked motor vehicles: Any motor vehicle which is inoperable or unable to operate under its own power, or, is damaged, has parts removed from it in such a manner that the vehicle cannot be operated legally on the highways of the State of Michigan.

3. Abandoned, a vehicle which has not borne a valid and current license plate and/or registration within the last 12 months, and with a minimum of comprehensive insurance coverage.

Section 3. PURPOSE

1. The purpose of this ordinance is to limit and/or restrict the outdoor storage, parking, or unreasonable accumulation of vehicles including any new or used parts thereof, upon any premises located anywhere within the Township of Grant; to thereby avoid injuries and hazards to children and others attracted to such vehicles and the devaluation of property values and the psychological ill effect of the presence of such vehicles upon adjoining residents and property owners, and to insure that all parcels of property located within the Township of Grant are compatible with this ordinance's general intent to secure the public peace, health, safety, and welfare of its residents and property owners. However, vehicles otherwise lawfully upon the premises of a person/business licensed appropriately, doing permitted business selling used and/or new cars are exempt from the provisions hereof.

2. Any vehicle qualifying as non-compliant pursuant to the provisions herein, presenting an environmental issue and/or an imminent environmental issue, regarding contamination to air, water and/or soil, shall allow the vehicle to be immediately rendered in a unsafe condition, and then either immediately removed, and/or kept at the same location, all in the discretion of the Township of Grant.

3. Furthermore, any vehicle qualifying as non-compliant may be towed pursuant to the provisions as further set forth herein at the expense of the owner.

4. If, in fact, any reasonable expense incurred on behalf of the Township of Grant exceeds the value of the vehicle, then the Township of Grant and/or the relevant repair and/or storage facility may apply for ownership through the change of ownership procedure as allowed by relevant state law.

Section 4. VIOLATIONS

1. 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 located within the Township of Grant any vehicle or vehicles that are not licensed or registered with the Secretary of State, either new or used, or any new or used parts or junk therefrom, unless the same is fully contained within an enclosed building and/or structure approved by the Township of Grant, and does not violate any other zoning or building laws of Grant Township, Iosco County, or the State of Michigan, and further that all such vehicles, either new or used, or any new or used parts or junk therefrom, shall be insured, properly registered, bearing appropriate licenses that are visible, and as operable with substantially all main component parts attached therewith.

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, may remain upon any parcel of property for a period not to exceed 14 days.

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3. No repairing, redesigning, modifying or dismantling work or operations shall be allowed upon any vehicle 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, and will not constitute a nuisance or annoyance to adjoining property owners or occupants; and does not violate any provisions of this 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.

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4. 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 Blight Enforcement Officer, Zoning Administrator and/or the Code Compliance Officer, if one in place, of the Township of Grant are hereby given the authority to grant permission to an applicant to operate contrary to the provisions hereof for a limited period of time, 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 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 Township of Grant 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. ENFORCEMENT

This ordinance can and will be enforced by way of civil infraction or misdemeanor as described in the Civil Infraction Ordinance enacted in 2024.

Section 7. ELECTION OF REMEDIES. The method of civil infraction as a means to address claimed violations shall be cumulative to any other legal remedies the Township may have.

Section 8. PENALTY

1. The fine as set forth for violations of this ordinance shall be not less than \$100.00 and not more than \$2500.00 for each day respondent is in non-compliance as each day a new violation will be assessed. And if prosecuted as a misdemeanor, imprisonment for no longer than ninety (90) days in jail, or cumulatively all of these penalties, as well as any other penalty as deemed appropriate within the discretion of the sentencing Judge.

2. Reimbursement of Township expense, including cost of prosecution, administrative personnel, and attorney fees shall also be ordered by the court. Lastly, each respondent and/or defendant may also be subject to oversight by the 81st District Court for an appropriate period of time by way of probation or any other method deemed within the discretion of the court to be advisable.

3. Furthermore, any person found by the appropriate compliance officer on behalf of the Township of Grant to be in violation of this ordinance, shall be obligated upon request, to provide documentation to satisfy the various provisions of this ordinance, or for failure to do so, same shall also constitute a violation of this ordinance. This documentation may include, but is not limited to appropriate licenser, insurance coverage, or any other information as required by this ordinance and/or as may be mandated by any other law.

4. In addition to any and all other penalties as provided herein, that any fines, costs, and/or other fees assessed shall be applied by the Township against the Township tax rolls for purposes of collection as would any other amounts of monies as otherwise taxed, including but not limited to any assessment of interest, administrative costs or other fees associated therewith.

5. Furthermore, the Township shall have the authority to place a lien upon the premises for purposes of collection of all reasonable costs. The Township will locate a salvage yard where vehicles may be towed to, and the towing of vehicles shall be expectedly provided as one of the means of enforcing this ordinance. Wherefore, at the time in which a notice is to be provided in this matter, that three (3) days after the tagging of any appropriate vehicle, said vehicle may be towed to the location provided by the Township. The Township will be reimbursed any towing fees, or penalties incurred as a result of removing any vehicles by the State or Local Courts.

Section 9. ELECTION OF REMEDIES.

The method of civil infraction as a means to address claimed violations shall be cumulative to any other legal remedies the Township may have.

Section 10. ENFORCEMENT

The Township Supervisor, Blight Enforcement Officer, Zoning Administrator and/or Code Enforcement Officer, if one is in place, are hereby authorized to enforce this ordinance, and he/she may delegate the enforcement to any other administrative official or employee of the Township that is authorized by resolution of the Township Board to enforce same.

Section 11. CONFLICTING LAWS

If any term of this ordinance conflicts with any previous ordinance, this ordinance shall prevail. Unless otherwise provided for herein, any section of any previous ordinance shall remain in full force and effect.

Section 12. SEVERABILITY

The various sections, parts, and clauses of this ordinance are hereby declared to be severable. If any part, clause, sentence, paragraph or section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 12. REPEAL

This ordinance shall repeal any and all dismantled/junk car ordinances previously enacted by the Township of Grant.

Section 13. EFFECTIVE DATE

This ordinance shall take effect after public review, being published in the, local newspaper as directed by Michigan Law.

Ordinance Number _____

Motion to approve made by _____

Motioned seconded by _____

Members voting in the affirmative _____

Members voting in the negative _____

Date of approval _____

Date of public hearings _____

Date of publication (summary of ordinance) _____

Effective date of ordinance _____

SIGNED

Township Supervisor _____

Township Clerk _____