

CHAPTER 11 DISMANTLED OR INOPERABLE MOTOR VEHICLES

11.1 Definitions as used in this chapter:

- (a) “Motor vehicle” means any wheeled vehicle which is designated to be self-propelled.
- (b) “Inoperable motor vehicle” means a motor vehicle which by reason of dismantling, disrepair, lack of licensing or other cause is either incapable of being propelled under its own power or is prevented by law from being propelled on a public highway.
- (c) “Dismantled and partially dismantled motor vehicle” means a motor vehicle from which a part of parts integral to the operation of such motor vehicle or a part or parts required by any law or regulation to be present on a motor vehicle has been removed or is missing.
- (d) A “junk dealer” is a person who owns or operates a lawful junkyard located within the Village.
- (e) A “person” means an individual, firm, corporation, partnership, association, limited liability company, limited partnership or any other legal entity.
- (f) “Public highway” is any publicly maintained way upon which any part thereof is open to the use of the public for the purposes of vehicular travel.

11.2 Prohibition:

No person shall park or store or knowingly allow another person to park or store for a period of ten (10) consecutive days, one (1) or more dismantled, partially dismantled or inoperable motor vehicles outside a building such that the dismantled, partially dismantled or inoperable motor vehicles can be seen from any public highway or seen from any adjoining land owned by another person. This section shall not apply to junk dealers, garages and service stations openly and actively engaged in making service repairs for the public and to motor vehicles licensed for no less than six (6) months in any twelve (12) month period.

11.3 Nuisance:

A violation of Section 2 of this chapter is hereby declared to be a public nuisance, a nuisance per se and is hereby further declared to be offensive to the public health, safety and welfare.

11.4 Penalty:

Any person who shall violate any provision of this ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994 amending Public Act 236 of 1961 being Section 600.101 – 66.9939 of Michigan Compiled Laws and shall be subject to a fine of not more than Five Hundred Dollars (\$500.00). Each day this chapter is violated shall be considered as a separate violation.

11.5 Enforcement:

The Village Code Enforcement Officer is hereby designated as the authorized Village officer to issue municipal civil infraction citations directing alleged violators of this chapter to appear in court.

11.6 Civil Action:

In addition to enforcing this chapter through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the circuit court to abate or eliminate the nuisance per se or any other violation of this chapter.

11.7 Severability:

If any section, provision or clause of this chapter or the application thereof to any person or circumstance shall be invalid, such invalidity shall not affect any remaining portion or application of this chapter which can be given effect without the invalid portion or application