

**VILLAGE OF AUGUSTA, MICHIGAN**  
**ORDINANCE NO. 178**  
**JUNK VEHICLES**

An Ordinance to prohibit the storing of junk motor vehicles on property both public and private within the boundaries of the Village of Augusta, and to set penalties for violations thereof.

**THE VILLAGE OF AUGUSTA**  
**KALAMAZOO COUNTY, MICHIGAN**  
**ORDAINS:**

SECTION I  
TITLE

This Ordinance shall be known and may be cited as the “Village of Augusta Public Nuisance Motor Vehicle Ordinance”.

Any previous ordinances of the Village of Augusta pertaining to Junk Vehicles are hereby repealed and shall be of no further force or effect.

SECTION II  
DEFINITIONS

For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include future, words in the plural number include the singular number, and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

1. “Motor Vehicle” is any vehicle which is self-propelled and designed to travel along the ground and shall include, but not be limited to automobiles, buses, motor bikes, motorcycles, motor scooters, trucks, tractors, go-carts, golf carts, campers, trailers and mopeds.
2. “Private Property” shall mean any real property within the Village of Augusta which is privately owned and which is not public property as defined below.
3. “Public Property” shall mean any street or highway which shall include the entire width between the boundary lines of every way publicly maintained for the purposes of vehicle travel, and shall also mean any other publicly owned property of facility.

SECTION III  
STORING JUNK MOTOR VEHICLE PROHIBITED  
AND DECLARED NUISANCE

No person shall park, store, leave or permit the parking, storing, or leaving of any motor vehicle or part thereof which is unregistered, abandoned, wrecked, dismantled, inoperative, rusted, junked, or partially dismantled condition whether attended or not, upon private property within the Village of Augusta for a period on time in excess of fourteen (14) days. The presence of an abandoned, wrecked, dismantled, inoperative, rusted, junked, or partially dismantled vehicle or parts thereof, on private or public property is hereby declared a public nuisance, which may be abated as such in accordance with the provisions of this Ordinance.

SECTION IV  
NOTICE TO REMOVE

Whenever any motor vehicle nuisance as defined above exists in the Village of Augusta, a notice in writing shall be served upon the occupant of the land where the nuisance vehicle exists, or in case there is no such occupant, then the owner of the property or his agent notifying them of the existence of the nuisance and requesting its removal in the time specified in this Ordinance.

SECTION V  
RESPONSIBILITY FOR REMOVAL

Upon proper notice and opportunity to be heard, the owner of the abandoned, wrecked, dismantled, or inoperative vehicle and the owner or occupant of the private property on which the same is located, either or all of them, shall be responsible for its removal. In event of removal and disposition by the Village, the owner, or occupant of the private property where same is located, shall be liable for expenses incurred.

SECTION VI  
NOTICE PROCEDURE

The Village President or his duly appointed agent shall serve notice of removal on the owner or occupant of the private property where it is located, at least fourteen (14) days before the time of compliance. It shall constitute sufficient notice when a copy of same is posted in a conspicuous place upon the private property on which the vehicle is located or upon the vehicle and duplicate copies are sent by certified mail to the owner or occupant of the private property at his last known address. The date of personal service or the date of posting shall be considered the date of service.

SECTION VII  
CONTENTS OF NOTICE

The notice shall contain the request for removal within the time specified in the Ordinance, and the notice shall advise that upon failure to comply with the notice to remove, the Village or its designee shall undertake such removal with the cost of removal to be levied against the owner or occupant of the property.

SECTION VIII  
REMOVAL OF MOTOR VEHICLE FROM PROPERTY

If the violation described in the notice has not been remedied within the fourteen (14) day period of compliance, the Chief of Police or his designee shall have the right to take possession of the junked motor vehicle and remove it from the premises. It shall be unlawful for any person to interfere with, hinder, or refuse to allow such person or persons to enter upon private property for the purpose of removing a vehicle under the provisions of this Ordinance.

SECTION IX  
NOTIFICATION AND DISPOSITION OF VEHICLES

The Chief of Police or his designee shall comply with sections 252a through 252g of the Michigan Vehicle Code in giving notices therein requiring and disposing of any vehicle removed under this Ordinance. (1949 PA 300 as amended; MCL 257.252a et seq.).

SECTION X  
LIABILITY OF OWNER OR OCCUPANT

Upon the failure of the owner or occupant of property on which abandoned vehicles have been removed by the Village of Augusta to pay the un-recovered expenses incurred by the Village in such removal, a lien shall be placed upon the property for the amount of such expense and assessed against the property.

SECTION XI  
PENALTY

Violation of this Ordinance shall be a civil infraction punishable by a fine not to exceed \$500.00 (five hundred dollars). Each day that the violation exists shall constitute a separate offense.

SECTION XII  
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION XIII  
EFFECTIVE DATE

This Ordinance shall take effect upon the date of its publication, which shall be within 15 days after its adoption.

James P. Schultz  
Village President

Kaye McAlear  
Village Clerk