

Village of Boyne Falls

Amendment and revision of Ordinance #38 Motor Vehicles

An amendment and revision of the inoperable, dismantled, unlicensed, expired Registration and license plates on motor vehicles.

Section 1. Person authorized to enforce Ordinance and amendment.

The following persons are authorized to enforce Ordinance and issue citations under this amendment pursuant to MCL 600.8701-8735, as amended of the Revised Judicature Act: The Charlevoix County Sheriff Department and all other authorized by Resolution of the Village Council.

Section 2. Inoperable Vehicle.

Inoperable vehicle means any and all of the following:

1. Any vehicle or motor vehicle which is dismantled, in whole or in part, or which is not mechanically operable as a result of a defect, malfunction, or state of disrepair.
2. Any vehicle or motor vehicle which cannot be legally operated on public streets and highways by reason of lacking the equipment required by State Motor Vehicle Code and/or other laws of the State of Michigan.
3. Any vehicle or motor vehicle which is not currently licensed for operation upon the public streets and highways under the provisions of the State Motor Vehicle Code or other applicable provisions of the laws of the State of Michigan.
4. Notwithstanding the above requirements a vehicle or motor vehicle that is stored on the premises of a licensed repair shop and which is subject to this provision may be stored outdoors, in an unenclosed are, for not more than 30 total days during the course of repairing such vehicle or motor vehicle.

Section 3. Junk Vehicles

Inoperable vehicle means any and all of the following:

1. Any vehicle or motor vehicle which by reason of damage resulting from and accident, dismantling, disrepair or other cause that i incapable of being propelled under its own power, or which is missing a major component part, including, but not limited to:
 - The engine

- The transmission
- The right or left front fender
- The hood
- A door allowing ingress and egress from the vehicle's passenger compartment.
- The front or rear bumper.
- The right or left rear quarter panel.
- The deck lid, tailgate, or hatchback
- The trunk floor pan
- The cargo box of a pickup
- The frame, or if the vehicle has a unitized body, the supporting structure or structures which serve as a frame
- The cab of a truck
- The body of a passenger vehicle
- The window glass
- The wheels or tires

2. Any vehicle or motor vehicle that is unsafe for operation in the matter for which it was designed, manufactured, or modified by reason of damage resulting from an accident, dismantling, disrepair, or other cause.
3. Any vehicle or motor vehicle that is unsafe for operation in the matter for which it is designed, manufactured, or modified by reason of its inability to comply with any code, regulation, or statutes established by the State of Michigan governing the operation of such vehicle or motor vehicle.
4. Any vehicle or motor vehicle has been so damaged or dismantles so as to be a total loss.
5. Any component part of a vehicle, including tires and wheels, which by reason of disrepair, damage, or other cause is incapable of functioning or being operated in a manner in which it was designed, manufactured, or modified.

Section 4. Municipal Civil Infraction: Enforcement Officer.

Any person who violates any provision of the Ordinance shall be responsible for a municipal infraction as defined in Public Act 12, of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than One Hundred and 00/100 (\$100.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation. The Charlevoix County Sheriff's Department hereby designated the authorized Village official to issue municipal civil infraction citations directing alleged violators of the Ordinance to appear in Court.

Section 5. Effective Date

This amendment of Ordinance shall become effective (30) days after it enactment. Dated March 8, 2022.

Village of Boyne Falls

By: Marilyn Cousineau
Marilyn Cousineau, President

By: Heidi Riggs
Heidi Riggs, Village Clerk

VILLAGE OF BOYNE FALLS ORDINANCE CERTIFICATION

At the regular meeting of the Village Council of the Village of Boyne Falls, Charlevoix County, held in the Village Hall, located at 2290 Railroad Street, Boyne Falls, Michigan, on March 9, 2022 at 7:00 PM

Present: Gladys Bell, Mike Kondrat Sr., William Carson, Brandy Marrin, Marilyn Cousineau

Absent Mike Kondrat Jr.

A motion was made by Brandy Marrin and seconded by Mike Kondrat Sr. that the following Ordinance Amendment be adopted Ordinance 38.

(See attached amendment)

Yes 5

No 0

Ordinance declared adopted:
Village of Boyne Falls

By: Marilyn Cousineau
Marilyn Cousineau, Village President

I, the undersigned, the Clerk of the Village of Boyne Falls, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Village of Boyne Falls Council of said County at its regular meeting held on March 8, 2022, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public said meeting as given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; this ordinance was published in the Charlevoix County News on 3-16-2022, 2022 and was filed with the County Clerk on 3-10-2022, 2022.

Dated 3-8-2022

Heidi Riggs
Heidi Riggs, Clerk