

ORDINANCE CERTIFICATION

At a regular meeting of the Boyne Falls Village Council, Charlevoix County, held in the Boyne Falls Village Hall, located at 2290 Railroad Street, Boyne Falls, Michigan, on October 14, 1997, at 7:00 P.M.

PRESENT: William Bricker, WilliamsCousineau, Debra Taylor, & Chris Williams
ABSENT: April Kenney and Paul Zerbel

It as moved by William Bricker and supported by Debra Taylor that the following Ordinance be adopted.

(See attached VILLAGE OF BOYNE FALLS ORDINANCE NO. 41)

YES: 4
NO: 0

ORDINANCE DECLARED ADOPTED.

VILLAGE OF BOYNE FALLS

By: Blake Kenney
Blake Kenney, 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 Boyne Falls Village Council of said County at its regular meeting held on 10-14, 1997, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings 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 *Petoskey News Review* on Oct: 28, 1997.

Dated: October 14, 1997

Marilyn Cousineau
Marilyn Cousineau, Clerk

Note: The Ordinance and this Ordinance Certification should be placed in the Village Ordinance Book.

VILLAGE OF BOYNE FALLS TRAVEL TRAILER ORDINANCE
Ordinance No. 41

**AN ORDINANCE TO REGULATE THE PARKING AND USE
OF TRAVEL TRAILERS WITHIN THE VILLAGE OF BOYNE
FALLS**

THE VILLAGE OF BOYNE FALLS ORDAINS:

Section 1. Definition.

As used in this Ordinance, the term "travel trailer" means any motor home, trailer coach, camper, or any other vehicle designed and used as a sleeping place that is mounted on wheels and may lawfully be propelled on the highways of this state under its own power or under the power of a motor vehicle to which it is attached.

Section 2. Prohibited Parking and Use.

- (a). No person shall park or cause to be parked any travel trailer on any street, alley, highway, or other public place between the hours of 12:00 a.m. (midnight) and 6:00 a.m., unless in case of accident or other emergency the Village Marshall or other police officer authorizes such parking, but then only on such conditions as the Village Marshall or other police officer specifies.
- (b). Except as provided in Sections 3, 4, and 5, no person shall park or cause to be parked and no person shall use, occupy or allow others to use or occupy any travel trailer on any lot or parcel of land within the Village between the hours of 12:00 a.m. (midnight) and 6:00 a.m.

Section 3. Permitted Parking and Use.

Travel trailers may be parked, used, and occupied for a period of no more than thirty (30) days within any calendar year, beginning on January 1 and ending December 31 each year, on any lot or parcel of land within the Village on which an occupied dwelling exists, provided all of the following conditions are met:

- (a). No portion of the travel trailer shall be located closer to the street or highway than the dwelling located on the property.
- (b). The travel trailer shall have self contained sewage facilities or shall be connected to a public or private sewage disposal system.
- (c). The wheels or tires of the travel trailer shall not be removed at any time, except for purpose of repair.

Section 4. Storage of Travel Trailers.

The owner or occupant of any dwelling within the Village may park for storage his or her travel trailer on his or her property, provided all of the following conditions are met:

- (a). The travel trailer shall not be used or occupied for living or sleeping purposes, except in compliance with Section 3 of this Ordinance.
- (b). The travel trailer shall not be used to store materials of any kind, other than the furnishings, equipment, and other items customarily associated with travel trailers.
- (c). The wheels or tires of the travel trailer shall not be removed at any time, except for purpose of repair.

Section 5. Use of Travel Trailer when Dwelling is Uninhabitable.

The owner or occupant of any dwelling within the Village that has been destroyed by fire or other natural disaster so as to be uninhabitable may use and occupy a travel trailer for living or sleeping purposes during the time the dwelling is being repaired to a habitable condition or replaced with another dwelling.

Section 6. Penalty/Civil Infraction.

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 Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine as determined by the Village Council pursuant to Ordinance No. 47. Each day this Ordinance is violated shall be considered as a separate violation. Any action taken under this Section shall not prevent civil proceedings for abatement or termination of the prohibited activity.

Section 7. Enforcement.

The Village Marshal is hereby designated as the authorized village official to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 8. Validity.

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

Section 9. Separate Court Action.

Nothing in this Ordinance shall prohibit the Village or any interested party from seeking such other relief as may be permitted in law or in equity regarding the existence of a nuisance. A violation of this Ordinance is deemed to be a nuisance per se.

Section 10. Effective Date.

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Village.

VILLAGE OF BOYNE FALLS

By: Blake Kenney
Blake Kenney, President

By: Marilyn Cousineau
Marilyn Cousineau, Clerk