

ORDINANCE NO. 10-8-1981
AS AMENDED 3-9-2017
JUNK YARD AND JUNK VEHICLE ORDINANCE

AN ORDINANCE TO PROVIDE FOR CONTROL AND REGULATION OF OUTDOOR PARKING, ACCUMULATION, STORAGE AND/OR ABANDONMENT OF JUNK, INCLUDING JUNK MOTOR VEHICLES, AND JUNK FARM EQUIPMENT, WITHIN ALL AREAS OF THE VILLAGE OF NASHVILLE, TO PROVIDE FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND TO REPEAL ANY ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE VILLAGE OF NASHVILLE ORDAINS:

SECTION 1. NAME:

This Ordinance shall be known and cited as "The Village of Nashville Junk Yard and Junk Vehicle Ordinance".

SECTION 2. DEFINITIONS:

The term "private premises" shall mean any lot or parcel of land owned or occupied by any person, firm or corporation, whether or not improved with any dwelling, house, building or other structure, whether inhabited or temporarily or continuously uninhabited or vacant.

The term "junk" shall mean miscellaneous solid waste, rubbish, scrap, debris, and reclaimable material located outside of a completely enclosed building, including, but not limited to, paper, rags, scrap metal and equipment, glass, household appliances, garbage, tires, junk vehicles, vehicle parts, or motor vehicles that are inoperable, partially dismantled, wrecked, or abandoned, excluding farm machinery.

SECTION 3. REGULATIONS:

A) Except to the extent permitted under State Law, no person, firm or corporation shall permit the parking, storage or accumulation thereof upon any public right-of-way, public property or private premises within the Village, of any junk, including junk motor vehicles, junk farm equipment or the parts of either, unless the same are wholly contained within a fully enclosed building or a completely walled enclosure, or other appropriate means so as not to be visible to public view, except for the following:

1. Motor vehicles in operating condition eligible for use in accordance with the requirements or the Michigan Vehicle Code, being Act 300 of the Public Acts of 1949, as amended;
2. Motor vehicles in operating condition held as stock in trade by a regularly licensed dealership of new or used motor vehicles or equipment used in the operation of such

dealership;

3. Motor vehicles or parts thereof located in junk yards or the places of business of wreckers duly licensed by state or village authority, pursuant to governing state law, or governing village law;

4. Motor vehicles temporarily inoperable due to minor mechanical failure, but which are not in any manner dismantled and have substantially all main component parts attached, may remain upon private property for not to exceed an aggregate total of fifteen (15) days;

5. Nor more than one modified vehicle in fully operating condition such as a stock modified, redesigned or reconstructed vehicle for a purpose other than that for which it was manufactured may be permitted, provided no building or garage is located upon the premises in which said vehicle could be parked or stored;

B) No repairing, redesigning, modifying or dismantling work or operation shall be allowed upon any vehicle or parts thereof except pursuant to authority conferred by the state or village under governing law, or upon any public right-of-way or public property for a period in excess of one week, except such as shall be accomplished within fully enclosed buildings or completely walled enclosures; provided further, that such repairing, redesigning, modifying or dismantling shall be conducted in conformity with any applicable zoning ordinance and in such a manner as not to adversely affect the owners or occupants of adjoining property.

C) No person shall leave any icebox, refrigerator, cooler or similar object having a door and door catch or latch affixed thereto in any exposed place in the Village unless the object has the door, door catch or latch, or hinges removed in such a manner that the door on the object can be opened readily from the inside of the object or unless the object has an opening made therein of sufficient oxygen to support human life. (Added 9-25-2008)
(State law reference – Abandoned or unattended icebox or refrigerator, leaving in place accessible to children prohibited, MCL 750.49 & 1, MSA 28.761 (4))

SECTION 4. NUISANCE:

Any parking, storage, accumulation, placement or operation in violation of the provisions of this ordinance is hereby declared to be a public nuisance which may be enjoined pursuant to governing law or for which the violator may be subjected to a suit for civil damages, as well as the fines and penalties herein provided.

SECTION 5. CONSTRUCTION:

This ordinance shall not apply to any junk yard, salvage yards, garages, dealerships, body or paint shops operating within the Village, which shall be licensed pursuant to governing state law or governing the Village law, but shall be in addition to and not in conflict with all other laws and ordinance respecting junk and junk vehicles.

SECTION 6. SAVINGS CLAUSE:

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void and unenforceable, for any reason, by a court, the remaining portion of said ordinance shall remain in force.

SECTION 7.

This ordinance shall in no way be deemed to be retroactive as to violations occurring prior to the passage of this ordinance.

SECTION 8. PENALTY: (REVISED 3-9-2017)

Any person, firm, corporation, or other entity who violates any term or provision of this Ordinance is responsible for a municipal civil infraction and shall be punished by a civil fine of \$150 for a first violation. A second or subsequent violation shall be considered a misdemeanor punishable by up to 90 days in jail and/or a fine of \$500.

SECTION 9. PROCEDURE FOR COMPLAINTS:

Complaints are to be in writing to the Village Council. Council will proceed through adopted complaint procedure policy.

SECTION 10. EFFECTIVE DATE:

This ordinance shall take effect 21 days after the date hereof.

DATE: October 8, 1981

Harold Christiansen
Village President

Susan M. Corkwell
Village Clerk

Adopted: October 8, 1981
Published: October 13 & 20, 1981
Effective: November 3, 1981