

ORDINANCE NO. 10-9-1986

An ordinance regulating the storage of dismantled, partially dismantled or inoperable motor vehicles, boats, machinery, equipment or parts thereof.

THE VILLAGE OF NASHVILLE ORDAINS:

SECTION 1. DEFINITIONS:

For the purpose of this ordinance, the following definitions shall apply:

- (1) "Boat" shall mean a vehicle for use on the water which is self-propelled or intended to be self-propelled either mechanically or manually.
- (2) "Dismantled or partially dismantled machinery and equipment" shall mean machinery and equipment from which some part or parts which are ordinarily a component of such machinery or equipment has been removed or is missing.
- (3) "Dismantled and partially dismantled motor vehicle or boat" shall mean a motor vehicle or boat from which some part or parts which are ordinarily a component of such motor vehicle has been removed or is missing.
- (4) "Inoperable machinery and equipment" shall mean any item or piece of machinery or equipment which by reason of dismantling, disrepair, or other cause incapable of functioning or being operated as it was intended to function or be operated.
- (5) "Inoperable motor vehicle or boat" shall mean a motor vehicle or boat which by reason of dismantling, disrepair or other cause is incapable of being propelled under its own power, and an unlicensed motor vehicle or boat without a current valid registration.
- (6) "Motor vehicle" shall mean any wheeled or unwheeled vehicle for use on land, in or on water, or in the air which is self-propelled or intended to be self-propelled either mechanically or manually.
- (7) "Village" shall mean the Village of Nashville, Barry County, Michigan.

SECTION 2. STORAGE OF DISMANTLED, PARTIALLY DISMANTLED, OR INOPERABLE MOTOR VEHICLES, MACHINERY, AND EQUIPMENT, OR ANY PARTS THEREOF.

It is hereby declared to be unlawful for any person to store on, place on, or permit to be stored or placed on or allowed to remain on any platted or unplatted parcel of land within the Village a dismantled, partially dismantled, or inoperable motor vehicle, boat, machinery, or equipment, or any parts thereof, except as the same may be permitted under the pertinent provisions of the Village's Zoning Ordinance unless said dismantled, partially dismantled, or inoperable motor

vehicle, boat, machinery, or equipment, or parts thereof, shall be kept in a wholly enclosed garage or other wholly enclosed structure; provided, however, that any bona fide owner, co-owner, tenant, or cotenant may store, permit to be stored or allow to remain on the premises of which he is the owner, co-owner, tenant, or co-tenant, any one such dismantled, partially dismantled, or inoperable motor vehicle, for a period of not to exceed fifteen (15) days if such motor vehicle is registered in his, her or its name. This ordinance shall not be construed to permit parking or placing of dismantled or partially dismantled motor vehicles, boat, machinery or equipment on any street area in the Village or in any yard, as now or hereafter defined by the Village's Zoning Ordinance.

SECTION 3. NUISANCE AND ABATEMENT:

In addition to any penalty imposed for a violation of this ordinance, the presence of a dismantled, partially dismantled, or inoperable motor vehicle, boat machinery, or equipment, or any parts thereof, on any platted or unplatted parcel of land in violation of this ordinance is declared to be a public nuisance subject to summary abatement by a restraining order or injunction issued by a court of competent jurisdiction. Additionally, the Village may seek an order permitting it to enter onto land in violation of this ordinance to abate the nuisance and to apply any costs incurred as a lien on the land.

SECTION 4. PENALTIES:

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 \$50 for a first violation, \$150 for a second violation, and \$300 for a third or subsequent violation and shall be liable for the payment of costs in an amount of not less than \$9.00 and not more than \$500.

SECTION 5. EFFECTIVE DATE:

This ordinance shall take effect 20 days after its adoption.

Passed and adopted by the Village Council on the 9th day of October, 1986. With amendments passed and adopted by the Village Council on the 22nd day of August, 1991.

Yeas: Raymond Hinckley, Ted Spoelstra, Forrest Burd, Richard Chaffee.

Nays: none

Absent: Sue VanDerske, Chip Smith, Carol Dwyer.

Raymond Hinckley
Village President

Rose Mary Heaton
Village Clerk

I, Rose Mary Heaton, Village Clerk of the Village of Nashville, Michigan, certify that the foregoing ordinance was adopted by the council of the Village of Nashville at a regular meeting held on 8-22-91, in compliance with the requirements of 1945 Public Act 246, as amended and 1943 Public Act 184, as amended.

Dated: 8-22-1991

Rose Mary Heaton
Village Clerk

I, Rose Mary Heaton, Village Clerk of the Village of Nashville, Michigan, do hereby certify that this ordinance was published in the Maple Valley News, a newspaper of general circulation in the Village of Nashville on 9-10-1991.

Rose Mary Heaton
Village Clerk