

## **MENTOR TOWNSHIP DISMANTLED CAR ORDINANCE NO. 14**

**An Ordinance to secure the public peace, health, safety and welfare of the residents and property owners of the Township of Mentor, Oscoda County, Michigan, a municipal corporation, by the regulation of the outdoor parking and storage of motor vehicles, tractor trailers, house trailers, and new or used parts of junk therefrom, within the Township of Mentor, to provide penalties for the violation of this ordinance and to repeal any ordinance or parts of ordinances in conflict herewith.**

**The Township of Mentor, Oscoda County, Michigan ordains:**

### **Section I. NAME**

This Ordinance shall be known and cited as the Mentor Township Dismantled car Ordinance

### **Section II. PURPOSE**

The purpose of this Ordinance is to limit and restrict the outdoor storage, parking or unreasonable accumulation of junk, unused, partially dismantled or non-operating motor vehicles, house trailers, or tractor trailers, or new or used parts thereof upon premises primarily used or zoned for any type of residential purpose within the Township; to thereby avoid injury and hazards to children and others attracted to such vehicles or trailers; the devaluation of property values and the psychological ill effect of the presence of such vehicles or trailers upon adjoining residents and property owners.

### **Section III. REGULATIONS**

A. No person, firm, or corporation shall park, store, or place upon any public right-of-way or public property, or upon any premises that is primarily used or is zoned for any type of residential purpose within the Township, any motor vehicle, house trailer, or tractor trailer or new or used parts of junk therefrom, unless the same is wholly contained within a fully enclosed building and does not violate any zoning or building laws of the Township, County, or State of Michigan, except for the following:

1. Duly licenses and operable vehicles or trailers with substantially all main component parts attached.
2. Vehicles or trailers that are temporarily inoperable, because of minor mechanical failure, but which are not, in any manner, dismantled and have substantially all main component parts attached, which may remain upon such private property for not to exceed 14 days
3. Not more than one vehicle in fully operating condition, such as stock car or modified car that has been re-designed or reconstructed for a purpose other than that for which it was manufactured, provided no building or garage is located upon the



premises in which the same could be parked or stored. In no event shall any such vehicle be parked in the front or side street yard area of any such residential premises

**B.** No repairing, re-designing, modifying or dismantling work or operations shall be allowed upon any vehicle or trailer or parts thereof upon any public right-of-way or public property or on any property primarily used or zoned for any type of residential purpose for a period in excess of 24 hours except such as shall be accomplished within fully enclosed buildings; will not constitute a nuisance or annoyance to adjoining property owners or occupants; and does not violate any provisions of the Mentor Township Zoning Ordinance.

Any such work within such 24-hour period heretofore allowed shall not, however, consist of any major repair, re-designing, modifying or dismantling work, but only such occasional minor work as may frequently be required to maintain a vehicle or trailer or parts thereof in normal operating condition.

**C.** In the event the foregoing regulations create any special or peculiar hardship beyond the control of a particular violator thereof because of unforeseen circumstances, the Building and Zoning Inspector of the Township is hereby given the authority to grant permission to an applicant to operate contrary to the provisions hereof for a limited period of not to exceed 14 days provided no adjoining property owner or occupant is unreasonably adversely affected thereby and the spirit and purpose of the Ordinance are still substantially observed.

#### **Section IV. NUISANCE**

Any parking, storage, placement, or operation in violation of the provisions of this Ordinance are hereby declared to be a public nuisance which may be enjoined or which may subject the violator to civil damages and the fines and penalties herein provided for.

#### **Section V. CONSTRUCTION**

This Ordinance shall not prevent the operation of any licensed junk yard, salvage yard, garage, body, or paint shop legally operating within a proper zone as defined in the Mentor Township Zoning Ordinance, and shall be in addition to any other laws or Ordinances respecting rubbish, refuse, litter, trash, or junk control and regulations.

#### **Section VI. SAVING CLAUSE**

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of the Ordinance other than said part or portion thereof.



## **Section VII. PENALTY**

Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$100.00 or by imprisonment in the County Jail for not to exceed 90 days, or by both such fine and imprisonment. Each day that a violation continues to exist shall constitute a separate offense.

In addition to the imposition of the foregoing fines and penalties, the Township Building and Zoning Inspector, any Township police officer, or such other officer as the Township Board may designate, may cause any vehicle, trailer or parts thereof, which violate the provisions of this Ordinance to be removed from the premises, impounded and destroyed or sold for junk, in the discretion of said officer, and the cost thereof assessed against the owner of such vehicle, trailer or parts thereof, or of the premises on which the same are located. Any sums realized on the sale of the same may be retained by the Township to reimburse it for the costs incurred in such removal and sale, to the extent of such costs. Any balance of such sums remaining after such reimbursement shall be returned to the owner of such vehicle, trailer, or parts thereof.

## **Section VIII. EFFECTIVE DATE**

This Ordinance shall take effect on September 25, 1987. All Ordinances or parts of Ordinances in conflict with any of the provision of this Ordinance are hereby repealed.

Adopted: August 17, 1987

Regular meeting of the Mentor Township Board held at the Mentor Township Hall 7:30 p.m. Five members present, none absent

Kann, Sherwood, Crane, Kinney, Wyckoff - Yes. Non opposed.

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Ruth Ann Kinney, Clerk