

**BATES TOWNSHIP
DISABLED VEHICLE ORDINANCE
ORDINANCE NO. _____ 12 _____**

AN ORDINANCE TO CONTROL AND PROHIBIT THE STORAGE, PLACEMENT OR ABANDONMENT OF DISABLED MOTOR VEHICLES, OR RELATED JUNK OR SALVAGE, UPON PRIVATE OR PUBLIC PROPERTY.

1. No person, firm or corporation shall permit any disabled motor vehicle to be parked, stored, placed or allowed to remain within Bates Township in violation of this or any other ordinances of the Township. Motor vehicles are defined as any self propelled wheeled vehicle, and disabled motor vehicle means incapable of being self propelled on the public streets, not meeting the requirements for operation on public streets, or currently unlicensed.
2. **STREETS:** Disabled motor vehicles shall not be permitted in the rights of ways of any street or highway within the Township. This shall not apply to removal or servicing of a disabled vehicle, within a reasonable time, not to exceed one day from an accident or sudden disability of the vehicle.
3. **YARD AREAS:** Disabled motor vehicles, any parts of motor vehicles, or related junk or salvage, shall not be permitted in the front yard of any parcel of land, where there is a dwelling structure, unless kept in an enclosed garage or structure. Only one disabled motor vehicle may be permitted in a side or rear yard, or accessory lot. Service and repair work may be performed on such vehicle, and tools and equipment incident thereto may be stored and used. This does not authorize the disassembling, tear down or scrapping of motor vehicles, or permit one vehicle to be scavenged for parts for use on another motor vehicle. No disabled vehicle is allowed to remain outside of a building for more than 30 days on any lot, if within 5 feet of an abutting lot.
4. **NOISE:** Service and repair of a disabled motor vehicle conducted entirely within the confines of a garage or accessory building is allowed, provided any tearing down, stripping or junking does not occur between the hours of 9 p.m. and 8 a.m. Such is not permitted when loud or unusual noise annoys, injures or endangers the comfort, health or safety of the residents or the public.
5. **WHERE PERMITTED:** Activity involving the storage, tearing down, stripping, salvaging or junking of motor vehicles, or related junk or salvage, is regulated by Section 9.07 of the Bates Township Zoning Ordinance. Such use is permitted only where authorized, permitted or licensed by the Township, under the Zoning Ordinance or any other applicable Ordinances or Statutes.
6. **CONSTRUCTION:** This ordinance shall not be construed as repealing any Ordinance, now in effect or hereafter made, but shall be construed as supplementing all other Township ordinances and any Michigan Statutes relating thereto. The presence of any disabled or dismantled motor vehicle or vehicles, parts or related junk or salvage, in violation of this ordinance is hereby declared to be public nuisance. Any subsection adjudged void or inoperable shall not affect the enforceability of any other part of this or any other Township ordinance.

7. PENALTIES AND ENFORCEMENT: Any person, firm, or corporation who violates or assists in the violation of this ordinance, shall be subject to a civil forfeiture of not less than \$25 or more than \$200, together with all costs of enforcement and other lawful action taken by the Township, including actual attorney fees incurred. Each day a violation continues shall be considered a separate violation. This ordinance may be enforced by suit for civil forfeitures, injunction, damages, or any other appropriate legal relief.

ADOPTED: This _____ day of _____, 2009 at a regular meeting of the Bates Township Board.

This ordinance shall take effect 30 days after publication.

Ayes: _____ Nays: _____ Absent: _____

ORDINANCE DECLARED ADOPTED

I hereby certify this is a true copy of an ordinance adopted at a regular meeting of the Bates Township Board on _____, 2009

Barbara Moncivias
Bates Township Clerk

Grant Helgemo
Bates Township Supervisor