

WATSON TOWNSHIP ORDINANCE No. 88-2
(MOTOR VEHICLE STORAGE AND REPAIR ORDINANCE)
ADOPTED: JANUARY 7, 1988
EFFECTIVE: FEBRUARY 19, 1988

An ordinance to secure the public peace, health, safety, welfare and protection of the environment of and for the residents and property owners of the Township of Watson, Allegan County, Michigan, a municipal corporation, by the regulation of the outdoor parking, storage and repair of motor vehicles, or new or used motor vehicle parts or junk therefrom, within said Township; to provide criminal penalties and civil remedies for the violation of this ordinance; and to repeal the Motor Vehicle Parking and Storage Ordinance effective June 7, 1970, of the Township of Watson and any other ordinance or parts of ordinances in conflict herewith.

THE TOWNSHIP OF WATSON
ALLEGAN COUNTY, MICHIGAN ORDAINS:

SECTION I
TITLE

This ordinance shall be known and may be cited as the Watson Township Motor Vehicle Storage and Repair Ordinance.

SECTION II
PURPOSE

The purpose of this ordinance is to limit and restrict the outdoor storage, parking, repair, or unreasonable accumulation of junk, unused, partially dismantled or non-operating motor vehicles, or new or used motor vehicle parts, upon public and private premises within the Township; to provide restrictions concerning the repairing of said vehicles; to avoid injury and hazards to children and others attracted to such vehicles; to prevent degradation of the environment caused by such vehicles; and to minimize the devaluation of property values and the psychological ill effects of the presence of such vehicles upon adjoining residents and property owners.

SECTION III
DEFINITIONS

For the purpose of enforcing the provisions of this ordinance, certain terms and words used herein shall have the following meaning:

- A. A motor vehicle shall be deemed "in-operable" where any of the following conditions exist:
1. Where it is being dismantled for the sale, salvage, repair or reclamation of parts thereof.
 2. Where it does not have all of its main component parts properly attached.
 3. Where any other or additional conditions exist which cause the vehicle to be incapable of being driven under its own power, lawfully, upon the public streets.
- B "Main Component Parts" shall mean fenders, hood, wheels, radiator, motor, windows, doors, muffler, body or essential parts of the engine, and all such other parts or equipment as are necessary for the vehicle to be lawfully driven upon the public streets pursuant to the Michigan Vehicle Code, being 1949 Public Act 300, as amended.
- C "Person" shall mean an individual, firm, corporation, or other entity of any kind.

SECTION IV
REGULATIONS

- A. No person shall park or store or permit to be parked or stored outside of a fully enclosed building upon any public or private premises within the Township of Watson owned, leased, rented or occupied or possessed by such person any motor vehicle, or new or used motor vehicle parts, unless one or more of the following conditions exist:
1. Such vehicle is currently and validly licensed for operation upon the public streets, and is not inoperable, and has all of its main component parts attached.
 2. Such vehicle or parts are located in a duly licensed and properly zoned junkyard, salvage yard, or new or used car dealer's lot or storage yard, where such uses or operations are legally authorized under the Township Zoning Ordinance, and are conducted in conformance therewith.
 3. Such vehicle is located at any authorized service station, garage, paint shop, or body shop legally authorized under the Watson Township Zoning Ordinance and registered with the State of Michigan pursuant to 1974 Pa 300, as amended, and is awaiting repairs or delivery to owners, and is locked, and currently and validly licensed for operation upon the public streets, and is not a public nuisance.
 4. Such vehicle, although temporally in-operable because of minor mechanical failure, has substantially all of its main component parts attached, and where subject to a license, is currently and validly licensed for operation upon the public streets, and is not in any manner a dismantled vehicle; provided that the premises shall not contain any such vehicle for longer than 14 days in any one calendar year, calculated on a cumulative basis for the same or different vehicles and notwithstanding that non one such vehicle remains upon the premises for more than said 14 day period.
 5. Such vehicle is fully operable, has all of its main component parts attached, and is currently being offered for sale upon the premises, and that no more than one such vehicle is offered for sale upon the premises at any one time.
 6. Such vehicle is a 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, and if parked or stored outside of a fully enclosed building is situated upon a trailer which is fully operable and currently and validly licensed for use upon the public streets; provided that not more than one such trailered vehicle may be allowed.
 7. A special permit is first obtained therefor for a period of not to exceed 30 days from the Supervisor of Watson Township, or such other officer or official as the Township Board may designate, to be granted only in special hardship cases beyond the control of the applicant, where special or peculiar circumstances exist, where no adjoining property owner is adversely affected thereby and where the spirit and purpose of these regulations are still observed.
 8. No repairing, redesigning, modifying or dismantling work or operations shall be allowed upon any vehicle or new or used motor vehicle parts upon any property not zoned for such purpose except such occasional minor work by the owner thereof as may infrequently be required to maintain the same in normal operating condition; and further provided that no such repair activities shall be conducted in such a manner as to constitute a nuisance or annoyance to adjoining property owners or occupants; and further provided that no such repair activities shall violate any provisions of the Watson township Zoning Ordinance.

SECTION V
NUISANCE

Any motor vehicle parking, storage, placement or repair activities in violation of the provisions of this ordinance are hereby declared to be public nuisance which may be enjoined or which may subject the violator to the fines and penalties herein provided for.

SECTION VI
SEVERABILITY

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 this ordinance other than said part or portion thereof.

SECTION VII
SANCTIONS AND SCHEDULE OF CIVIL FINES/COSTS

Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute and punishable by civil fines. Unless a different schedule of civil fines is provided for by an applicable ordinance, the civil fines payable to the Bureau upon admissions of responsibility by persons served with municipal ordinance violation notices shall be determined pursuant to the following schedule:

1 st violation within a 3-year period*	\$50.00
2 nd violation within a 3-year period*	\$125.00
3 rd violation within a 3-year period*	\$250.00
4 th violation within a 3-year period*	\$400.00

*determined on the basis of the date of violation (s).

In addition to the above prescribed, costs in the amount of \$10.00 shall be assessed by the Bureau if the fine and costs are paid within 10 days of the date of service of the municipal ordinance violation notice. Otherwise, costs of \$20.00 shall be assessed by the Bureau.

(Amended 6-21-2000 Civil Infraction Ordinance No. 2000-2, Section III, Amendments to certain ordinances.)

SECTION VIII
REPEAL

All ordinances or parts of ordinances in conflict herewith shall be the same are hereby repealed, including the Motor Vehicle Parking and Storage Ordinance effective June 7, 1970, and any other ordinance amending said Ordinance; however, legal proceedings presently pending on an ordinance which is hereby repealed may proceed to judgement or decision and shall not be affected by this ordinance.

SECTION IX
EFFECTIVE DATE

This ordinance shall become effective 30 days after publication in a newspaper circulating within the Township of Watson, Allegan County, Michigan.

Marianne B. Mather
Clerk, Township of Watson