

20.250

**DISMANTLED OR INOPERABLE MOTOR VEHICLES
VILLAGE OF MANCELONA, MICHIGAN
ord. no. 69 eff. June 24, 1988**

THE VILLAGE OF MANCELONA ORDAINS:

Section 1 That the Municipal Code of the Village of Mancelona is and the same are hereby amended by adding thereto a new Dismantled or Inoperable Motor Vehicles Ordinance to read as follows.

20.251 **A. DEFINITIONS.**

1. Motor Vehicles are hereby defined as any wheeled vehicle which are self-propelled or intended to be self-propelled and which are primarily intended for transportation on public records on a year round basis.
2. Inoperable motor vehicles are defined as motor vehicles which, by reason of dismantling, disrepair, lack of licensing, mechanical or safety defects or other cause, are either incapable of being propelled under their own power or are prevented by law from being so propelled.
3. Dismantled and partially dismantled motor vehicles are motor vehicles from which some part or parts ordinarily a component of such motor vehicle has been removed or is missing.
4. Antique motor vehicle means and is limited to a car on truck which is at least twenty-five (25) years old and which except for a lack of registration plate is capable of being lawfully operated on a public road.
(ord. no. 69 eff. June 24, 1988)

20.252 **B. PARKING AND STORAGE REGULATIONS, EXCEPTIONS.**

No person, firm, or corporation shall park or store any dismantled, partially dismantled or inoperable motor vehicles part thereof outdoors on any premises within the Village limits of Mancelona for a period of more than seven (7) days continuously, and no person, firm or corporation shall permit any dismantled, partially dismantled or inoperable motor vehicle or parts thereof to remain outdoors on any premises within the Village limits of Mancelona for a period of more than seven (7) days continuously or for thirty (30) days in any calendar year whether or not continuously.
(ord. no. 69 eff. June 24, 1988, amended July 13, 1999)

20.253 **C. COURT ACTION.**

In addition to the issuance of a municipal civil infraction citation, as authorized in Section E. below, the Village may seek injunctive relief in Circuit Court against any person, firm or corporation for abatement or termination of an activity prohibited by this Ordinance or to prohibit future violations of this Ordinance.

(ord. no.69 eff. June 24, 1988, ord. eff. Sept. 7, 1995)

20.254 **D. NUISANCE.**

The presence of any dismantled, partially dismantled or inoperable motor vehicle or parts thereof outdoors on any premises within the Village limits of Mancelona is hereby declared to be a public nuisance and is hereby further declared to be offensive to the public health, welfare and safety.

(ord. no. 69 eff. June 24, 1988)

20.255 **E. PENALTY.**

- (1) Any person, firm or corporation who violates or assists in the violation of any provision of the Ordinance shall be responsible for a municipal civil infraction punishable as a first offense by a civil fine of not less than one hundred fifty dollars (\$150.00), plus costs, expenses, damages and other sanctions authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended. Each day that such violation continues shall constitute a separate and distinct violation under the provisions of this Ordinance.
- (2) Increased civil fines may be imposed on repeat violations of a municipal civil infraction. As used in this subsection, a “repeat violation” means a second or subsequent municipal civil infraction of the same ordinance requirement or provision committed by the same person, firm or corporation within any twelve (12) month period for which that person, firm or corporation admits responsibility or is found responsible in Court. The increased civil fines for repeat violations shall be as follows;
 - (A) For a first repeat violation, the municipal civil infraction shall be punishable by a civil fine of not less than two hundred fifty dollars (\$250.00), plus costs, expenses, damages and other sanctions authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended.
 - (B) For a second or subsequent repeat violation, the municipal civil infraction shall be punishable by a civil fine of not less than five hundred dollars (\$500.00) plus costs, expenses, damages and other sanctions authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended
- (3) If a defendant fails to pay the civil fines or costs ordered by the District Court within thirty (30) days after the date on which payment is due, then the Village may obtain a lien in the amount of the unpaid fines and costs against the real property on which the violation occurred by recording a copy of the court order requiring payment of the fines and costs, along with a legal description of the real property involved, in the Antrim County Register of Deed’s Office. The Village shall send a written notice of the lien by first class mail to the owner of record of the real property at the owner’s last known address. The Village may enforce and discharge this lien as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended.

(ord. no.69 eff. June 24, 1988, ord. eff. Sept. 7, 1995)

20.256 **F. VALIDITY.**

In any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid; such invalidity shall not affect any remaining portion or application of this Ordinance which can be given effect without the invalid portion or applications.

(ord. no. 69 eff. June 24, 1988)

20.257 **G. REPEAL.**

The previous Dismantled or Inoperable Motor Vehicles Ordinance is hereby repealed.

(ord. no. 69 eff. June 24, 1988)

20.258 Section. 2 **EFFECTIVE DATE.**

This Ordinance shall become effective thirty (30) days from the date of its adoption.

(ord. no. 69 eff. June 24, 1988)