

ORDINANCE NO. 2.03
(as amended)

AN ORDINANCE TO REGULATE OPEN STORAGE OF DISABLED AUTOMOBILE
AND REPAIR

THE CITY OF CRYSTAL FALLS ORDAINS:

Section 1. Disabled Motor Vehicles – Regulated: No person shall permit any disabled motor vehicle to be parked, stored, placed, or allowed to remain within the City of Crystal Falls in violation of the provisions of the ordinances of the City.

Section 2. Same-Prohibited on Streets: Disabled motor vehicles shall not be permitted in the rights of way of the streets, alleys or highways within the City; provided, however, that this shall not apply to towing or similar transporting of such vehicles; and provided further, that a reasonable time (not to exceed 12 hours from the time of disability) shall be permitted for the removal or servicing of a disabled vehicle in an emergency caused by accident or sudden breakdown of the vehicle.

Section 3. Same – Front Yard: Disabled motor vehicles or any parts of a motor vehicle shall not be permitted in the front yard of a parcel of land upon which there is a structure used in whole or in part as a dwelling, unless said disabled motor vehicle or parts of a motor vehicle shall be kept in a wholly and enclosed garage or other wholly and enclosed structure.

Section 4. Same – Side or Rear Yards: One disabled motor vehicle may be permitted in a side or rear yard of a residential, commercial, or industrial lot as an accessory use to the main use of the lot. Service and repair work may be performed on such vehicle and incidental thereto parts, tools, and equipment may be stored and used. Nothing contained herein shall be construed as authorizing the disassembling, tear down, or scrapping of a motor vehicle, or to permit one motor vehicle to be scavenged or stripped for parts for use on another motor vehicle. Provided, however, that a disabled vehicle shall not be permitted to remain outside of a building for a period in excess of thirty (30) days on any lot used for residential purposes or on that portion of any lot within three (3) feet of an abutting lot used for residential purposes.

Section 5. Same – Noise: Service and repair of a disabled motor vehicle which is conducted entirely within the confines of an accessory garage shall be permitted; provided, that the tearing down, stripping, or junking of a motor vehicle between the hours of 9 p.m. and 8 a.m. shall not be permitted when loud or unusual noise annoys, injures or endangers the comfort, repose, health or safety of the public.

Section 6. Same – Where Permitted: Storage, repair, and servicing of disabled motor vehicles not authorized herein, and the tearing down, stripping, or junking of motor vehicles shall be permitted, only where and when such use is specifically authorized, permitted, or licensed under other ordinances of the City, and in accordance therewith.

Section 7. Same – Enforcement: It shall be the duty of the police department to enforce this ordinance.

Section 8. Same – Definition:

- A. Motor vehicles are hereby defined as any wheeled vehicles which are self-propelled or intended to be self-propelled.
- B. Disabled motor vehicles are defined as motor vehicles which are incapable of being self-propelled upon the public highways, or which do not meet the requirements for operation upon the public highways, including a license which has been current within the past sixty (60) days.
- C. Dwelling is any house, building, structure, tent, shelter, trailer or vehicle or portion thereof which is occupied in whole or in part as the home, residence, living or sleeping place, or which is intended to be occupied by one or more human beings, either permanently or transiently.

Section 9. Same – Construction: This ordinance shall not be construed as repealing any ordinance hereafter made effective relating to rubbish, litter, garbage, refuse, trash or junk, but shall be construed as supplemental to such ordinances as well as any Statute of the state of Michigan relating thereto.

Section 10. Same – Nuisance: The presence of a dismantled, partially dismantled or disabled motor vehicle or parts of a motor vehicle on any platted or unplatted parcel of land in violation of the terms of this ordinance is hereby declared to be a public nuisance.

Section 11. Penalty:

- A. Any person violating this ordinance shall be deemed to have committed a civil infraction, subject to the payment of civil fines of \$50.00 plus costs, for the first violation.
- B. Any repeat offense shall be subject to increased fines, as follows:
 - 1. First repeated offense shall be no less than \$150.00 plus costs.
 - 2. A fine for any second repeated offense or any subsequent repeated offense shall be no less than \$250.00 plus cost.
- C. In addition to ordering that the person found in violation of this Ordinance must pay civil fines and costs the District Court Judge or District Court Magistrate may issue any writ or order necessary to enforce the Ordinance including but not limited to the authority to order the person found in violation of this Ordinance to correct the condition giving rise to the civil infraction within 30 days or be subject to the contempt powers of the District Court as authorized and provided for by applicable Michigan Statutes.

Section 12. Same – Effective Date: This ordinance shall take immediate effect to provide for the usual daily operation of the City as outlined in Sec. 8.3b of the City Charter; further; this is only an amended version of an ordinance previously adopted.

Original Adopted: 01/14/1975
Original Amended: 10/23/1996
Amended: August 8, 2007
Amended: May 12, 2008