

ORDINANCE NO. _____
FAIRGROVE TOWNSHIP
TUSCOLA COUNTY, MICHIGAN
JUNK CAR ORDINANCE

An Ordinance to promote public health, safety, and general welfare; to provide penalties for keeping of junk or abandoned motor vehicles; to provide for abatement by the Township and the collection of costs therefore.

FAIRGROVE TOWNSHIP ORDAINS:

Section 1 - VIOLATIONS:

No person shall abandon, keep or maintain, or permit to remain on premises owned or occupied by him a junk or abandoned motor vehicle, as defined in Section 2 of this Ordinance.

Section 2 - DEFINITION OF JUNK OR ABANDONED MOTOR VEHICLES:

- A. A motor vehicle is hereby defined as any wheeled vehicle which is self-propelled or intended to be self-propelled. Junk or abandoned motor vehicles for purposes of this section, shall include:
1. any motor vehicle ~~or~~ which has remained on the premises of another for a period of 48 continuous hours, or more, without the consent of the owner or occupant of the property or for a period of 48 continuous hours or more after the consent of the owner or occupant of the property has been revoked; or
 2. any motor vehicle or portion thereof which, for a period of 30 consecutive days or more does not have an engine in running condition, four inflated tires, and a battery; or
 3. any motor vehicle which, for a period of 72 hours or more does not have attached current license plates; or
 4. any motor vehicle which is in fact abandoned by its owner; or
 5. any motor vehicle which is for any reason not operable and not repairable.
- B. No person shall abandon a motor vehicle or part thereof on the premises of another.
- C. No person shall store, maintain, keep, leave, or authorize the storage, maintenance, keeping or leaving of any abandoned or junk motor vehicle or part thereof on any private property under his ownership, tenancy or control.
- D. The following motor vehicles shall not be deemed junk or abandoned vehicles for purposes of this section: vehicles stored within a fully enclosed building, vehicles kept as stock in trade by a regularly licensed dealer in motor vehicles, or vehicles stored by a licensed junk dealer. The Supervisor may, upon written application, exempt from this section for any reasonable period of time any historic or classic vehicle, any vehicle in a process of restoration or repair, or any vehicle which by reason of special circumstances is deemed by him not to be a junk or abandoned vehicle.
- E. The Township Supervisor or his agent may remove any junk or abandoned motor vehicle or part thereof from the property of the Township without

notice and may dispose of said vehicle as he sees fit. The Township Supervisor or his agent may remove or cause to be removed any junk or abandoned motor vehicle or part thereof from any unenclosed private property after having notified the vehicle owner and/or lienholder, if known, and the property owner or occupant of such property in writing of his intention to do so at least 48 hours prior to such removal. If the vehicle owner and/or lienholder cannot be determined, a copy of said notice shall be placed upon the vehicle at least 48 hours prior to removal. The Township Supervisor or his agent may dispose of said vehicle as he sees fit. The cost of hauling away and disposing of a junk or abandoned vehicle may be charged as provided in Section 3 of this Ordinance. The removal of a junk or abandoned motor vehicle by the Township Supervisor or his agent shall not excuse or relieve any person of the obligations imposed by Sections 2B or 2C of this Ordinance nor from the criminal penalties for violation thereof.

Section 3 - COSTS:

All expenses incurred by the Township Supervisor or his agent in removing abandoned or junk motor vehicles under this Ordinance shall be charged to the person responsible therefore, the occupant of the land in question or the person who appears as owner or party in interest upon the last local tax assessment records of the Township. If said person fails to pay said charge within 30 days after a statement is mailed to him, the amount of expenses incurred by the Township in removing the junk or abandoned motor vehicle may be paid from the Township general fund and the amount thereof assessed against the lands on which said expenditures were made on the next general assessment roll of the Township and shall be collected in the same manner as other taxes are collected. The Township shall have a lien upon such lands for such expense, said lien to be enforced in the same manner prescribed by the general laws of the State providing for the enforcement of tax liens.

Section 4 - PENALTIES:

In addition to the civil rights and remedies herein provided to the Township, any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned in the County Jail for a period not exceeding ninety (90) days or be both so fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 5 - APPEARANCE TICKETS:

In all arrests and prosecutions for violation of this Ordinance, appearance tickets and the appropriate procedures set forth in Act 147, Michigan Public Acts of 1968, as amended, may be used whenever appropriate.

Section 6 - EFFECTIVE DATE:

This Ordinance shall become effective upon publication after adoption.

Adopted June 12 1967
Published June 20 1967