

**USED CAR LOT ORDINANCE  
TOWNSHIP OF FRANKENLUST, MICHIGAN  
ord. no. 53 eff. June 23, 1990**

An Ordinance to regulate used car lots, as herein defined; to prescribe rules and regulations for the operation of same; to prescribe penalties for the violation of the provisions of this Ordinance; and to repeal all Ordinances and parts of Ordinances which are inconsistent herewith.

**THE TOWNSHIP OF FRANKENLUST, BAY COUNTY, MICHIGAN ORDAINS:**

**Sec.1. OPERATION OF USED CAR LOT WITHOUT LICENSE;  
PROHIBITED.**

It is hereby declared to be unlawful for any person, firm or corporation to operate or maintain a used car lot within the Township of Frankenlust without first obtaining a license therefore from the Township Board of the Township of Frankenlust, and payment of the license fee for such license.

*(ord. no. 53 eff. June 23, 1990)*

**Sec. 2. DEFINITIONS.**

(A) The term “**used car lot**”, as used in this Ordinance, shall be construed to mean any place where used motor vehicles are displayed and offered for sale in the open.

(B) The term “**used car**” or “**second-hand car**” or “**used vehicle**” or “**second-hand vehicle**”, as used herein, means any motor vehicle to which a Certificate of Title and license plates have been issued and which motor vehicle has been registered for use on the highways by a consumer or by a dealer.

*(ord. no. 53 eff. June 23, 1990)*

**Sec. 3. APPLICATION FOR LICENSE.**

Any person, firm or corporation seeking to operate a used car lot within the Township of Frankenlust shall make application to the Township Board for a license on forms to be furnished by the Township and which may be obtained from the Township Clerk. The application for such license shall contain the full name and address of the person, firm or corporation making application for the license, and if a firm or corporation, the name and address of the resident agent of the corporation and the President and Secretary thereof, and the names of the partners if a firm or partnership. Such application shall also indicate whether the

applicant has been or had theretofore been a licensee for the operation of a used car lot in any other municipality of this state or statute of the State of Michigan or of any other state, whether such license had for any reason been revoked or suspended, and whether the applicant, or the officers or agents thereof, had been, within a period of ten (10) years prior to the filing of the application for the license with the Township of Frankenlust, been convicted of a felony involving moral turpitude. Such application shall also indicate whether the applicant and/or the officers and agents thereof have been convicted of the violation of any Zoning Ordinance or Used Car Lot Licensing Ordinance of any other municipality of this state or any statute of this state or of any other state. The Township Board may, in the exercise of its discretion, refuse to grant a license if the applicant or the officers or agents of the applicant are not of good moral character, or have been convicted of a felony involving moral turpitude within the period of ten (10) years prior to the filing of the application with the Township of Frankenlust, or if within a period of two (2) years prior to the filing of such application the applicant or its officers and agents have been convicted of the violation of a Zoning Ordinance or a substantially similar Used Car Licensing Ordinance of another municipality of this state or any statute of this state or any other state.

*(ord. no. 53 eff. June 23, 1990)*

#### **Sec. 4. LICENSE FEE.**

Prior to the issuance of a license for the operation of a used car lot, the applicant shall pay a license fee to the Township in the sum of One Hundred and no/100 Dollars (\$100.00).

*(ord. no. 53 eff. June 23, 1990)*

#### **Sec. 5. RENEWAL FEE.**

A fee of One Hundred and no/100 Dollars (\$100.00) shall be paid to the Township of Frankenlust for the renewal of a license and which fee shall be paid on each anniversary date of the issuance of said license.

*(ord. no. 53 eff. June 23, 1990)*

#### **Sec. 6. DURATION OF LICENSE.**

Each used car lot license issued pursuant hereto shall be valid for a period of one year unless sooner revoked pursuant to the provisions of Section 11 [20.200] hereof.

*(ord. no. 53 eff. June 23, 1990)*

#### **Sec. 7. MONTHLY REPORTS.**

The licensee shall, at least once each month, prepare and mail to the Commissioner of Michigan State Police at East Lansing, Michigan, and the Secretary of State at Lansing, Michigan, a sworn statement of all purchases and sales made by said licensee during the preceding month.

*(ord. no. 53 eff. June 23, 1990)*

#### **Sec. 8. HOURS AND DAYS OF OPERATION.**

No used car lot, for which a license has been granted by the Township Board of the Township of Frankenlust in pursuance hereof, shall be operated except during the hours of 8:00 a.m. and 8:00 p.m., Monday through Saturday. No such used car lot shall be operate on Sunday.

*(ord. no. 53 eff. June 23, 1990)*

#### **Sec. 9. COMPLIANCE WITH OTHER TOWNSHIP ORDINANCES.**

Any person, firm or corporation granted a license pursuant hereto, shall comply with all other Ordinances of the Township.

*(ord. no. 53 eff. June 23, 1990)*

#### **Sec. 10. COMPLIANCE WITH STATE LAWS.**

Any person, firm or corporation granted a license pursuant hereto, shall comply with all applicable State statutes.

#### **Sec. 11. REVOCATION OF LICENSE.**

Any license issued pursuant hereto may be revoked by the Township Board after notice to the licensee and public hearing before the Township Board upon proof that the licensee has:

- A) Violated any other Ordinance of the Township of Frankenlust substantially affecting the operation of a used car lot for which the license has been granted such as, by way of illustration and not of limitation, violation of the Township Zoning Ordinance;
- B) The licensee or its officers or agents have been convicted of a felony involving moral turpitude during the period for which such license was granted;
- C) Have given false information on the application for the license;

- D) Violated any statute, state or federal, regulating the operation and/or ownership of a used car lot and the sale of used cars such as, by illustration and not of limitation, tampering with the odometer of a vehicle offered for sale or in fact sold by the licensee; or
- E) Violation of any of the provisions of this Ordinance.  
*(ord. no. 53 eff. June 23, 1990)*

**Sec. 12. PENALTY.**

Violation of this Ordinance shall be a misdemeanor, punishable by a fine of not more than Five Hundred and no/100 Dollars (\$500.00), or by imprisonment in the County Jail for a period not to exceed ninety (90) days, or both; such fine and imprisonment in the discretion of the Court having jurisdiction thereof. In addition, an action for the abatement of the nuisance may be instituted on complaint of any resident of the Township or any Township officer.  
*(ord. no. 53 eff June 23, 1990)*

**Sec. 13. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable, and if any clause, sentence, paragraph, section or subsection is declared to be void, or ineffective, for any reason, such declaration of invalidity or ineffectiveness shall not affect any other part or portion hereof.  
*(ord. no. 53 eff. June 23, 1990)*

**Sec. 14. EFFECTIVE DATE.**

This Ordinance shall take effect thirty (30) days after publication hereof.  
*(ord. no. 53 eff. June 23, 1990)*