

**EVELINE TOWNSHIP
DISMANTLED OR INOPERABLE MOTOR VEHICLE ORDINANCE
Ordinance No. 612 of 2007**

THE TOWNSHIP OF EVELINE ORDAINS:

Section 1. Definitions. As used in this Ordinance,

"Motor vehicles" mean any wheeled vehicle which is designed to be self-propelled.

"Inoperable motor vehicles" mean motor vehicles, which by reason of dismantling, disrepair, lack of licensing or other cause are either incapable of being propelled under their own power or are prevented by law from being propelled on a public highway.

"Dismantled and partially dismantled motor vehicles" mean motor vehicles from which a part or parts integral to the operation of such motor vehicle, or a part or parts required by any law or regulation to be present on a motor vehicle, has been removed or is missing.

"Farm operation" means an active enterprise primarily involving the commercial production, harvesting, and storage of plant and animal products useful to human beings on a site or sites within the Township having a combined area of ten (10) or more acres.

"Junk dealer" means a person who owns or operates a lawful junkyard located within the Township.

"Person" means an individual, firm, corporation, partnership, association, limited liability company, limited partnership, or any other legal entity.

"Public Highway" means any publicly maintained way upon which any part thereof is open to the use of the public for the purposes of vehicular travel.

Section 2. Prohibition.

No person shall park or store, or knowingly allow another person to park or store for a period of thirty (30) consecutive days, more than one (1) dismantled, partially dismantled or inoperable motor vehicles outside a building such that the dismantled, partially dismantled, or inoperable motor vehicles can be seen from any public highway or seen from any adjoining land owned by another person. This section shall not apply to junk dealers, farm operations, or to garages and service stations openly and actively engaged in making service repairs for the public.

Section 3. Nuisance.

A violation of Section 2 of this Ordinance is hereby declared to be a public nuisance, a nuisance per se and is hereby further declared to be offensive to the public health, safety and welfare.

Section 4. Penalty.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

Section 5. Enforcement Officers.

The Township Supervisor and Zoning Administrator are hereby designated as the authorized township officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 6. Civil Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

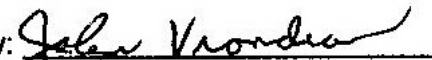
Section 7. Severability.

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

Section 8. Effective Date.

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the township.

TOWNSHIP OF EVELINE

By: 
John Vron dran, Supervisor

By: 
Michelle Johnson, Clerk

ORDINANCE CERTIFICATION

At a regular meeting of the Eveline Township Board, Charlevoix County, held in the Eveline Township Hall, located at 08525 Ferry Road, East Jordan, Michigan 49727, on June 12, 2007, at 7:00 P.M.

PRESENT: John Vron dran, Ron Chapman, Michelle Johnson, Eric Beishlag and Diane Bajko.
ABSENT: none

It was moved by Eric Beishlag and supported by Ron Chapman that the following Ordinance be adopted:

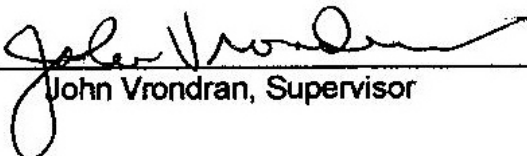
(See attached EVELINE TOWNSHIP DISMANTLED OR INOPERABLE MOTOR VEHICLE ORDINANCE)

YES: 5

NO: 0

ORDINANCE DECLARED ADOPTED.

EVELINE TOWNSHIP

By: 
John Vron dran, Supervisor

I, the undersigned, the Clerk of the Township of Eveline, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Eveline Township Board of said County at its regular meeting held on June 12, 2007, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; this ordinance was published in the Petoskey News Review on June 29, 2007 and was filed with the County Clerk on June 29, 2007.

Dated: 6/29/07


Michelle Johnson, Clerk

Note: The Ordinance and this Ordinance Certification should be filed with the County Clerk within one (1) week of publication and the Ordinance should be placed in the Township Ordinance Book.