

CITY OF ROSE CITY ORDINANCE TO CONTROL VEHICLES/JUNK

19-04-16-3

"An Ordinance to amend Ordinance #04-01-06, an ordinance to regulate vehicles/junk and repealing any and all ordinances and amendments thereto contravening to provisions of this ordinance."

THE CITY OF ROSE CITY OF OGEMAW COUNTY, MICHIGAN ORDAINS:

Section 1: Parking or storage of unlicensed, inoperable or partially dismantled vehicles Prohibited, Exceptions:

(A) No unlicensed, inoperable, or partially dismantled motor vehicle, recreational vehicles or part of a motor vehicle shall be parked or stored or permitted to remain on any premises in the City except those parked or stored within an enclosed building.

(B) Unlicensed or inoperable cars may be permitted to remain for a period of ten days if the owner is obtaining a license therefore or is repairing or about to have the vehicle repaired.

(C) Any unlicensed but operable vehicle is exempt from the provisions of this chapter if the vehicle had previously been licensed within the immediately preceding six-month period.

(D) Tires or parts of cars being removed, replaced or installed by the occupant working on his own car on the premises, may be reasonably stored in an orderly manner on the premises, but not to exceed ten days. Parts or tires to be discarded shall be removed immediately.

Penalty, see Sec. 7.

Section 2: Removal by City:

The City is hereby authorized to remove any such unlicensed inoperable, partially dismantled motor vehicles or parts or tires thereof after the aforesaid ten-day period has elapsed.

Section 3: Reclamation of Property from City; Disposition; Time Limits:

(A) Any such unlicensed, partially dismantled motor vehicle or parts or tires thereof removed from any premises in the City may be held by the City until claimed by the owner who shall pay costs of removal or may be sold at any time after 30 (thirty) days from the date of removal to reimburse the City of expenses of removal. The procedure for such sale of personal property shall be developed by the Mayor of the City of Rose City.

(B) The time limits for removal thereon specified may be extended for a period of not more than 30 days upon issuance of special permit by the City in cases where undue hardship would be caused by strict enforcement thereof.

Section 4: Condition Deemed Public Nuisance:

The presence of any unlicensed, inoperable or dismantled or partially dismantled motor vehicle, or parts or tires of a motor vehicle on premises as above described, contrary to this ordinance is hereby declared to be a public nuisance.

Section 5: Exemption:

This ordinance shall not apply to any person, firm or corporation primarily engaged in the business of repairing motor vehicles or primarily engage in buying or selling motor vehicles in an area appropriately zoned for those purposes provided those vehicles are stored in an orderly manner.

Section 6: Leaving of Litter:

(A) Any person who shall knowingly, without consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, or leaving of litter on public or private property designated and set aside for such purposes shall be guilty of an offense punishable under Sec. 7.

(B) Any person who shall remove a vehicle, wrecked or damaged in an accident on a highway, road or street, and fail to remove all glass and other injurious substances dropped on the highway, road, or street as a result of an accident is guilty of an offense punishable under Sec. 7.

Section 7: Penalty:

Violation of the ordinance is a Municipal Civil Infraction, pursuant to the City of Rose City Code of Ordinances. Bearing a fine of \$150.00.

Section 8: Supersede

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

A motion made by Mr. Card and seconded by Mr. Hinkley to adopt the City of Rose City Ordinance to Control Vehicles/Junk Ordinance #19-04-16-3.

Yeas: Mr. Card, Ms. Bentley, Ms. Danforth, Mrs. Killackey, Mr. Hinkley, Mr. Wiltse

Nays: None

Absent: None

The Mayor and the Council declared the Ordinance adopted on 04-16-2019.

CERTIFICATION

I, Cindy Rosebrugh, City Clerk for the City of Rose City, County of Ogemaw, State of Michigan, do hereby certify that the a attached is a full, true, and correct copy of an ordinance duly made, passed and adopted by the City Council of the City of Rose City, Michigan at a regular meeting of the Council held the 16th day of April 2019.

Cindy Rosebrugh, City Clerk