

ORDINANCE NO. 2-700

AN ORDINANCE TO REGULATE THE PARKING OF INOPERABLE MOTOR VEHICLES  
AND THE USE OF MOTOR VEHICLES FOR STORAGE PURPOSES

THE CITY OF ISHPEMING ORDAINS:

Section 2-701. Definitions. As used herein, the following terms shall be defined as follows:

- a. Motor Vehicle. "Motor vehicle" means every vehicle which is self-propelled.
- b. Vehicle. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn on a highway, except devices which are moved exclusively by human power or which are used exclusively on stationary rails or tracks and except for a mobile home as defined in Section 2 of Act No. 419 of the Public Acts of 1976, being MCL 125.1101 et. seq.; M.S.A. 19.855(1) et. seq.
- c. Inoperable Motor Vehicle. Every motor vehicle which does not satisfy all of the following requirements shall be considered an inoperable motor vehicle:
  - i) The vehicle is in operating condition and can be operated under its own power; and
  - ii) The vehicle satisfies all requirements of the Michigan Motor Vehicle Code, being Act No. 300 of the Public Acts of 1949, as amended (MCLA §257.1 et. seq.), including but not limited to having current registration plates, and meeting all requirements for headlights, tail lights, and all other equipment required for operation on a public highway; and
- d. Landowner. "Landowner" means the person, firm, corporation, or entity that is the record legal title owner of the parcel of land upon which an inoperable motor vehicle is kept, stored, placed, or found.

Section 2-702. No landowner shall permit any inoperable motor vehicle to be parked, stored, kept, maintained, or left on any parcel of land in the City of Ishpeming, except as provided in Section 2-703 hereof. No owner of a motor vehicle shall park, store, keep, maintain or leave an inoperable motor vehicle on any parcel of land in the City of Ishpeming, except as provided in Section 2-703 hereof.

Section 2-703. Inoperable motor vehicles may be stored, parked, kept, maintained, or left only as follows:

- a. In a fully enclosed building;
- b. By a licensed junk or scrap dealer, and then only in accordance with applicable statutes, ordinances and regulations, and then only if such use is permitted under the City Zoning Ordinance;
- c. By State licensed service stations or State licensed auto repair businesses for a period of time not to exceed ninety (90) days and then only if such use is permitted under the City Zoning Ordinance;
- d. By any governmental agency.

Section 2-704. The storage, parking or keeping of any inoperable motor vehicle which shall continue for a period of ten (10) days after service of notice of violation of this ordinance is hereby declared to be a public nuisance.

Section 2-705. Notices of violation of this ordinance shall be in writing, shall describe the inoperable motor vehicle and its location, and shall be served upon the landowner or upon the owner of the vehicle, or both, by first class mail sent to their last known addresses.

Section 2-706. Any landowner who shall allow or permit another person to continue to store or keep on his or her property an inoperable motor vehicle in violation of the terms of this ordinance more than ten (10) days after service of notice of violation of this ordinance is responsible for a municipal civil infraction and shall be subject to payment of a civil fine as provided in the City's Annual Fee Schedule.

Every owner of an inoperable motor vehicle who shall allow the vehicle to be parked, stored, kept or maintained in violation of the terms of this ordinance more than ten (10) days after service of notice of violation of this ordinance is responsible for a municipal civil infraction and shall be subject to payment of a civil fine as provided in the City's Annual Fee Schedule.

Section 2-707. It shall be unlawful for any landowner to permit any motor vehicle, with or without wheels on it, to be parked, kept or maintained on any parcel of land in the City of Ishpeming for the purpose of using said vehicle for the storage of garbage, trash, refuse, wood, junk, furniture, appliances, clothing, metal, synthetic materials, goods, wares, books, records, papers, or any other personal property of any kind; provided, however, that this section shall not apply to any vehicle which is regularly used on a weekly basis for the transportation of goods, wares, or merchandise, or for the removal of garbage, trash, refuse or junk to a disposal area.

Section 2-708. Any landowner or motor vehicle owner who violates this ordinance shall be responsible for a municipal civil infraction and shall be subject to payment of a civil fine as provided in the Annual Fee Schedule.

- 1) First violation. Any person who admits responsibility for, or who is found responsible for, a violation of Section 2-706 shall be subject to a civil fine as set forth in the Annual Fee Schedule adopted by the City Council.
- 2) Second violation. Any person who admits responsibility for, or who is found responsible for, a second violation of Section 2-706 shall be subject to a civil fine as set forth in the Annual Fee Schedule adopted by the City Council.

Section 2-710. This ordinance shall take effect upon legal publication.

Adopted: March 8, 1972

Amended: June 6, 2012

Amended: July 22, 1987

Amended: November 7, 2018

Amended: October 21, 1987

Amended: August 9, 1989

Amended: June 8, 1994

Amended: December 17, 1997

Amended: January 8, 2003

Amended: May 6, 2009