

Chapter 118

VEHICLES, INOPERABLE

§ 118-1. Definitions.

§ 118-3. Penalties.

§ 118-2. Parking and storage regulations, exceptions.

[HISTORY: Adopted by the Village Council of the Village of Bellaire 12-3-1992 by Ord. No. 27-1992. Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 70.

Vehicles and traffic — See Ch. 114.

§ 118-1. Definitions.

The following definitions shall apply in the interpretation of this chapter:

ANTIQUÉ MOTOR VEHICLE — Limited to a car or truck which is at least 25 years old and which, except for a lack of a registration plate, is capable of being lawfully operated on a public road.

DISMANTLED AND PARTIALLY DISMANTLED MOTOR VEHICLES — Motor vehicles from which some part or parts ordinarily a component of such motor vehicle has been removed or is missing.

INOPERABLE MOTOR VEHICLES — Motor vehicles which, by reason of dismantling, disrepair, lack of licensing, mechanical or safety defects or other cause, are either incapable of being propelled under their own power or are prevented by law from being so propelled.

MOTOR VEHICLES — any wheeled vehicles which are self-propelled or intended to be self-propelled and which are primarily intended for transportation on public roads on a year-round basis.

VEHICLE — Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices exclusively moved by human power or used exclusively upon stationary rails or tracks and excepting a mobile home as defined in Section 2 of Act No. 419 of the Public Acts of 1976, as amended, being Section 125.1102 of the Michigan Compiled Laws.

§ 118-2. Parking and storage regulations; exceptions.

No person, firm, or corporation shall park or store any dismantled, partially dismantled or inoperable motor vehicle or parts thereof outdoors on any premises within the Village limits of Bellaire for a period of more than seven days continuously, and no person, firm

or corporation shall permit any dismantled, partially dismantled or inoperable motor vehicle or parts thereof to remain outdoors on any premises within the Village limits of Bellaire for a period of more than seven days continuously or for 30 days in any calendar year whether or not continuously, unless the person, firm or corporation receives an extension from the Chief of Police while working towards compliance, not to exceed 30 days. This section shall not apply to junk dealers duly licensed by the State of Michigan, to garages and service stations openly and actively engaged in making service repairs for the public nor to dismantled, partially dismantled or inoperable motor vehicles or parts thereof stored in a closed building nor to antique motor vehicles.¹[Amended by Ord. 5-2009 on 07-15-09]

§ 118-3. Penalties. [Amended 8-15-1996 by Ord. No. 38-1996²]

- A. Municipal civil infractions; penalties. Any person who violates any provision of this chapter 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 to 600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than \$500. Each day this chapter is violated shall be considered as a separate violation.
- B. Enforcement officials. Officers of the Bellaire Police Department, and other Village officials designated by resolution of the Village Council, are hereby authorized to issue municipal civil infractions under this chapter directing offenders to appear in court.
- C. Nuisance per se. A violation of this chapter is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.
- D. Civil remedies. In addition to enforcing this chapter through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this chapter.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).