

**CITY OF PINCONNING
BAY COUNTY, MICHIGAN
ORDINANCE # 413**

INOPERABLE /UNLICENSED VEHICLE ORDINANCE

An ordinance to secure the public peace, health, safety and welfare of the residents and property owners of the City of Pinconning, Bay County, Michigan, by regulating the outdoor storage of motor vehicles which cannot be legally operated on the public streets because of mechanical or licensing deficiencies, to provide penalties for the violation of this Ordinance.

THE CITY OF PINCONNING ORDAINS:

SECTION 1- PURPOSE AND INTENT

The purpose of this Ordinance is to protect the health, safety and general welfare of the residents of the City of Pinconning by regulating the storage of unlicensed and inoperable vehicles. The goal is to prevent the outdoor storage of motor vehicles or parts of motor vehicles on property located in the City of Pinconning in situations in which a vehicle is either unlicensed, and/or unregistered or is incapable of lawful operation because of mechanical condition.

SECTION 2- DEFINITIONS

As used in this ordinance, the following definitions apply:

- A. “Vehicle”** any automobile, truck, motorcycle, trailer, or other motorized or towable device intended for transport on public roads.
- B. “Inoperable Vehicle”** any vehicle which is not capable of being legally operated on public streets due to mechanical failure, lack of essential parts, or other reasons. The vehicle is visibly wrecked, dismantled, abandoned, partially disassembled, has one or more flat tires, missing wheels or broken windows.
- C. “Unlicensed Vehicle”** any vehicle that does not have a current, valid registration and license plate is required by state law.
- D. “Public View”** visible from any public street, sidewalk, alley or adjacent property.

SECTION 3- PROHIBITION

No person shall park, store, leave or permit the parking or storage of any unlicensed or inoperable vehicle or its parts thereof, on any private property in a location visible from the public right-of-way for more than seven (7) consecutive days; unless such vehicle is stored within a fully enclosed structure such as a garage or carport.

SECTION 4- STORAGE OF INOPERABLE MOTOR VEHICLES OR PARTS

It is unlawful for any person to maintain an inoperable motor vehicle(s) on property located in the City of Pinconning unless the vehicle is kept in a wholly enclosed garage or other wholly enclosed structure, or a place not open to view from any residential property, public street or alley or any other public place. An inoperable vehicle covered by a tarpaulin or other materials is not acceptable. If a vehicle is defined as inoperable solely because it is not licensed for lawful operation, the above conditions apply.

SECTION 5- EXCEPTION FOR HISTORICAL VEHICLES

If the vehicle is licensed by the State of Michigan as a Historical Vehicle, the Chief of Police or Code Enforcement Officer shall have the discretion to exempt the vehicle from the provisions of this ordinance for a period up to six (6) months, provided the vehicle is licensed to operate and reasonable progress is made toward repair and/or restoration. The owner of the property on which the vehicle is located shall bear the burden to establish reasonable progress. The Chief of Police or Code Enforcement Officer shall have the discretion to extend the time period described in this section of the Ordinance for good cause.

SECTION 6- NOTIFICATIONS:

1. If upon inspection, the City Manager or an authorized representative, shall find the vehicle has not been licensed or still in violation, the owner/occupant will be notified by mail or served by the City of Pinconning with notice that shall state:
 - The violation and date occurred.
 - The time frame when the violation needs to be resolved which is fourteen (14) days.

SECTION 7- ENFORCEMENTS

1. Legal action to facilitate remediation shall take place immediately after the above time frame state. This is considered a misdemeanor and carries a fine of \$500.00 to be paid in full within thirty (20) days.
2. If the above fine is not paid or the situation has not been rectified, this issue will be sent immediately to the city attorney for legal action.

SECTION 8- EFFECTIVE DATE

This ordinance shall be effective ten (10) days after publication.

Sheri Boettcher, Mayor

Jessica View, City Clerk