

CITY OF BANGOR
VAN BUREN COUNTY, MICHIGAN
ORDINANCE NO. 295
INOPERABLE VEHICLE ORDINANCE

An Ordinance to secure the public peace, health, safety, and welfare of the residents and property owners of the City of Bangor, Van Buren 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, and to repeal any Ordinance or parts of any Ordinance which conflict with this Ordinance.

THE CITY OF BANGOR ORDAINS:

SECTION 1 INTENT

The intent of this Ordinance is to prevent the outdoor storage of motor vehicles or parts of motor vehicles on property located in the City of Bangor in situations in which a vehicle is either unlicensed, and/or unregistered or is incapable of lawful operation because of a mechanical condition.

SECTION 2 DEFINITION OF INOPERABLE VEHICLE

For the purpose of this Ordinance, an inoperable vehicle is any vehicle which is capable of transporting one or more persons, and which moves by using a self-contained power source, or any part of such a vehicle, and which is not in a condition allowing the vehicle's operation on the public streets in conformance with all legal and/or administrative requirements of the City of Bangor and/or the State of Michigan.

SECTION 3 DEFINITION OF PERSON

As used in this Ordinance, the term "person" shall include any individual or entity recognized by the laws of the State of Michigan, including, without limitation, any corporation, co-partnership, limited liability partnership, limited liability company, non-profit or charitable organization, or educational institution.

SECTION 4 STORAGE OF INOPERABLE MOTOR VEHICLES OR PARTS OF SUCH VEHICLES

It is unlawful for any person to maintain on property located in the City of Bangor an inoperable motor vehicle unless the vehicle is kept in a wholly enclosed garage or other wholly enclosed structure; provided, however, that the owner or tenant of property may,

for a period of time not to exceed seven (7) days, maintain on property which the person owns or leases one such motor vehicle owned by and registered to the person who is the owner or tenant of the property on which the vehicle is stored and further provided that an inoperable vehicle shall never be maintained on any yard.

If a vehicle is defined as inoperable solely because it is not licensed for lawful operation, the time period described above shall be increased to (15) days.

SECTION 5 EXCEPTION FOR HISTORIC VEHICLES

If a 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 of up to six (6) months, provided that the vehicle is licensed to operate and that 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 NUISANCE

The presence of an inoperable motor vehicle, in violation of the terms of this Ordinance, is a nuisance.

SECTION 8 PENALTIES

Any person who violates the terms of this Ordinance is guilty of a misdemeanor, which shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), by imprisonment of not more than ninety (90) days, or both. Each day during which any violation of this Ordinance shall continue shall constitute a separate violation of this Ordinance or even having the vehicle removed from the property if deemed by the court or if the vehicle is a road hazard.

SECTION 9 SEVERABILITY

The provisions of this Ordinance are severable, and if any clause, sentence, paragraph, section, or subsection is declared void or inoperable for any reason, it shall not affect any other part or portion of the Ordinance.

SECTION 10 EFFECTIVE DATE

This Ordinance shall be effective 10 days after publication.

At a regular meeting of the City Council of the City of Bangor held on _____, adoption of the foregoing ordinance was moved by _____ and supported by _____.

Voting for: _____

Voting against: _____

Mayor Farmer declared the ordinance adopted.

CERTIFICATION

I further certify that Council Member _____ moved for adoption of said Ordinance No. 295, and that Council Member _____ seconded said motion.

I further certify that the following members voted for adoption of said Ordinance: _____ and that the following members voted against such Ordinance: _____

I further certify that said Ordinance No. 295 has been recorded in the Ordinance Book of the City of Bangor.

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Bangor, County of Van Buren, and State of Michigan, at a _____ meeting held this ___ day of _____, 2024, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, the same being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

Shelly Umbanhowar
City Clerk
City of Bangor