

**VILLAGE OF SUTTONS BAY  
DISMANTLED OR-  
INOPERABLE MOTOR  
VEHICLE ORDINANCE  
Ordinance No.1 of 2018**

AN ORDINANCE TO AMEND SECTIONS 1, 2, 3, 5 AND 6 OF  
ORDINANCE NO. 8 OF 2004, ENTITLED "AN ORDINANCE TO  
PROHIBIT THE OPEN STORAGE OF CERTAIN VEHICLES, TO PROVIDE  
EXCEPTIONS, TO DECLARE OPEN STORAGE OF CERTAIN VEHICLES A NUISANCE  
AND TO PROVIDE ENFORCEMENT THROUGH MUNICIPAL CIVIL INFRACTIONS"

THE VILLAGE OF SUTTONS BAY ORDAINS:

**1. Amendment of Section 1, Ordinance No. 8 of 2004.** That Section 1 of Ordinance No. 8 of 2004 is amended to read in full as follows:

**Section 1 – Definitions**

- A. "Boat" shall mean a vessel by every description of a watercraft used, capable of being used, or originally constructed for the purpose of being used as a means of transportation in the water.
- B. "Dismantled and partially dismantled motor vehicles" means motor vehicles from which some part or parts ordinarily a component of such motor vehicle has been removed or is missing.
- C. "Farm operation" means an activity primarily involving the commercial production, harvesting, and storage of plant or animal products within the Village of Suttons Bay.
- D. "Inoperable vehicles" are defined as vehicles which, for any reason or cause, are incapable of being propelled under their own power, prevented from being towed, or are prevented by law from being propelled under their own power or towed on a public street or highway.
- E. "Junk dealer" means a person acting in accordance with federal, state and local laws and engaged in the collection and/or storage of scrap or dismantled and partially dismantled motor vehicles, or both, with the intent to sell or process and sell same.
- F. "Vehicles" means every vehicle which was originally designed to be self-propelled or towed.
- G. "Person" means a person, firm or corporation, partnership, association, limited liability company or any other legal entity.
- H. "Registration" means a registration certificate, plate, adhesive tab, or other indicator of current registration issued under and as described in the Michigan Motor Vehicle Code, for display on a vehicle.
- I. "Unlicensed" means not registered and/or licensed by a State agency, with the proper

authority to issue a registration for a type of vehicle or vessel including and up to a valid registration and plate(s) or proper valid registration and sticker(s).

**2. Amendment of Section 2, Ordinance No. 8 of 2004.** That Section 2 of Ordinance No. 8 of 2004 is amended to read in full as follows:

### **Section 2 – Prohibition**

No person shall park or store inoperable or unregistered vehicles or boats, which can be seen from an adjacent separate parcel of property or from public view or private road on any premises within the limits of the Village of Suttons Bay. This section shall not apply to junk dealers licensed by the State of Michigan or to vehicles normally associated with farm operations within the Village of Suttons Bay, nor to inoperable or unregistered vehicles or boats stored in a closed building, screened or stored so that they cannot be seen from any public right-of-way or by any adjoining land owner.

**3. Amendment of Section 3, Ordinance No. 8 of 2004.** That Section 3 of Ordinance No. 8 of 2004 is amended to read in full as follows:

### **Section 3 – Nuisance**

Except in a state licensed junkyard or farming operation, the open storage of inoperable or unregistered vehicles or boats on any premises within the limits of the Village of Suttons Bay is hereby declared to be a nuisance per se and is further declared to be offensive to the public health, safety and welfare.

**4. Amendment of Section 5, Ordinance No. 8 of 2004.** That Section 5 of Ordinance No. 8 of 2004 is amended to read in full as follows:

### **Section 5 – Enforcement**

The Village Zoning Administrator, Police Officer or designated Sheriff's Deputy are hereby designated as the authorized officials to issue municipal civil infraction citations to alleged violators of this Ordinance.

**5. Amendment of Section 6, Ordinance No. 8 of 2004.** That Section 6 of Ordinance No. 8 of 2004 is amended to read in full as follows:

### **Section 6 - Civil Action**

Nothing in this Ordinance shall prohibit the Village or any interested party from seeking equitable or injunctive relief to eliminate a nuisance or to ensure compliance with this Ordinance.

### **6. Severability**

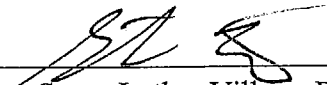
If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance shall be invalid, such invalidity shall not affect any remaining portion or application of this Ordinance which can be given effect without the invalid portion or


application.

**7. Effective Date**

This Ordinance as amended shall become effective twenty (20) days after its publication, or a synopsis of the Ordinance, in a newspaper of general circulation within the Village.

VILLAGE OF SUTTONS BAY

By:   
Steve Lutke, Village President

By:   
Shar Fay, Village Clerk

Date of Approval: January 16, 2018

Date Published: January 24, 2018

Effective Date: February 13, 2018