

ORDINANCE NUMBER 784

AN ORDINANCE TO AMEND SECTION 54-59 OF THE ORDINANCES OF THE CITY OF ALMA, TO PROHIBIT THE STORAGE OR ACCUMULATION OF INOPERABLE BOATS AND TRAILERS.

THE CITY OF ALMA ORDAINS:

Section 1. Sec. 54-59 of the Ordinances of the City of Alma is amended to read as follows:

Accumulation or storage of partially dismantled or inoperable vehicles, boats and trailers on private property.

- (a) Except as otherwise provided herein, no person or corporation, whether he is the owner, tenant or manager of private property, or whether he is the last registered owner of the vehicle, boat or trailer or transferee on a bill of sale covering the vehicle, shall permit the accumulation on private property of one or more vehicles which do not meet the following conditions:
- (1) Any motor vehicle, as defined in the Michigan Vehicle Code, must be in operating condition and eligible for use in accordance with the requirements of the Michigan Vehicle Code, being Public Act No. 300 of 1949, as amended, provided that any such vehicle may not comply with these regulations for a period not exceeding 30 days.
 - (2) These requirements include, but are not limited to, an engine that runs, pneumatic tires capable of holding air, current license plates, and a working battery.
 - (3) Any other vehicle, not defined as a "motor vehicle" in the Michigan Vehicle Code must be operable, have tires capable of holding air (when originally equipped with tires), a motor which runs, and a working battery, provided that any such vehicle may not comply with these regulations for a period not exceeding 30 days.
 - (4) Any boat must be currently registered, be seaworthy; and, if powered, have an engine that runs.
 - (5) Any trailer must have tires capable of holding air, current license plates, and a functional tongue and hitch such that it can be moved at any time by attaching it to a motor vehicle.
- (b) Any person enumerated in this section, under special conditions of hardship, or for valid reasons such as the preservation of a historic or a classic vehicle, boat or trailer, may request an extension of the limitation period set forth above described by filing a timely request with the city commission. The city commission may, at its discretion, after review of all the circumstances and after holding any hearings which it deems necessary, grant the applicant any reasonable extension of time.
- (c) These provisions shall apply in all zoning districts as follows:
- (1) In all residential zoning districts, inoperable vehicles, boats and trailers shall be stored in a completely enclosed building.
 - (2) In all other zoning districts, inoperable vehicles, boats and trailers shall be stored behind an opaque barrier or fence, which barrier or fence shall otherwise comply with all the provisions of the zoning ordinance pertaining to fences at sections 60-184 and 60-278

(d) Any person who violates this section is responsible for a civil infraction and subject to the fines enumerated in chapter 30, regarding civil infraction actions and establishment of a municipal ordinance violations bureau. Any violation shall also constitute a public nuisance, subject to abatement in accordance with the anti-blight ordinance of the City of Alma pertaining to blight.

Section 2. Separability. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Ordinances Repealed. All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall take effect and be in force fifteen days from and after its enactment as provided by the City Charter.

Passed and approved by the City Commission of the City of Alma, Michigan, in regular session, held April 12, 2016.

We, the undersigned, Mayor and Clerk of the City of Alma, Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance No. 784 of the City of Alma, Michigan, was introduced at a regular meeting of the City Commission, held on February 23, 2016, and was thereafter passed at a regular meeting on April 12, 2016, at least two weeks elapsing between the introduction and the enactment.

Dated at Alma, Michigan, this 12th day of April, 2016.

Melvin Nyman, Mayor

Sheila Letourneau, Clerk

I, the undersigned, City Clerk, DO HEREBY CERTIFY that the foregoing and above Ordinance No. 784 of the City of Alma, Michigan, is a true and compared copy of the original ordinance, now on file in my office, and of the whole thereof; that the same was published within 10 days from its adoption in the Morning Sun, a newspaper printed, published and circulated in the City of Alma, Michigan, and that the Affidavit of Publication thereof is now on file in my office and is a part of the original records pertaining to the adoption of the aforesaid ordinance.

I FURTHER CERTIFY that in accordance with the provisions of Section 5.3 and 5.5 of Chapter V of the Charter of Alma, Michigan, the foregoing ordinance shall take effect 15 days after its enactment as aforesaid.

Dated April 12, 2016 at Alma, Michigan _____
Sheila. Letourneau, City Clerk