

**VILLAGE OF MATTAWAN**  
**INOPERABLE VEHICLE ORDINANCE**

**ORDINANCE NO. 186**

An Ordinance to secure the public peace, health, safety and welfare of the residents and property owners of the Village of Mattawan, 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 VILLAGE OF MATTAWAN 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 Village of Mattawan in situations in which a vehicle is either unlicensed, 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 Village of Mattawan 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 Village of Mattawan 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 as the term is defined in the Village of Mattawan Zoning Ordinance.

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 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 shall have the discretion to extend the time period described in this section of the Ordinance for good cause.

**SECTION 6        CONSTRUCTION.**

This Ordinance shall replace Village Ordinance 13 in its entirety. It shall act to repeal Section 2.A. of Village Ordinance 23. This Ordinance shall not be construed as repealing any other Ordinance adopted by the Village of Mattawan, but shall be construed as supplementary to any such Ordinance, and to any statutes of the State of Michigan.

**SECTION 7        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), or 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.

SECTION 9 REPEAL CLAUSE.

Any Ordinance or parts of any Ordinance of the Village of Mattawan, which is in conflict with this Ordinance, is repealed.

SECTION 10 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 11. EFFECTIVE DATE.

This Ordinance shall be effective upon publication.