

**TOWNSHIP OF MORTON  
COUNTY OF MECOSTA, MICHIGAN  
ORDINANCE NO. 42 of October 13, 2009**

**AN ORDINANCE PROHIBITING THE ACCUMULATION  
AND STORAGE OF JUNK IN MORTON TOWNSHIP**

WHEREAS, Morton Township desires to enact and enforce a police power ordinance regulating the accumulation and storage of junk, now therefore

THE TOWNSHIP OF MORTON ORDAINS:

Section 1: Title. Morton Township Junk Ordinance

An ordinance to secure the public peace, health, safety and welfare of the residents and property owners of Morton Township, Mecosta County, Michigan, a municipal corporation, by the regulation of the outdoor parking and storage of motor vehicles, tractor trailers, trailers, dismantled or inoperable equipment and the accumulation of trash, junk, or of new or used parts thereof, within Morton Township, and to provide penalties for the violation of this ordinance.

1. Purpose

The purpose of this ordinance is to limit and restrict the outdoor storage, parking or unreasonable accumulation of trash, junk, rags, paper products, partially dismantled or non-operating motor vehicles, tractor trailers, trailers, dismantled or inoperable equipment and the accumulation of new or used parts thereof upon premises used or zoned for any type of residential purpose within the township; to thereby avoid injury and hazards to children and others attracted to such vehicles, equipment or trailers; the devaluation of property values and the unsightly effect of the presence of such vehicles, equipment, junk, trash, or trailers upon adjoining residents and property owners.

2. Definitions

*Trash and Junk:* The terms "Trash" and "Junk" are used synonymously and each as herein used shall include the following: Second-hand articles of any kind, such as, but not limited to used articles or used pieces of: cast iron, old iron, old steel of any kind, tool steel, aluminum, copper, brass, lead, scrap metal, rags, paper products, automobile bodies or parts of machinery, old machinery or parts, old cars stored for the purpose of dismantling and car parts stored for the purpose of sale or repair, lighting and plumbing fixtures. Also to include discarded materials such as, but not limited to construction scrap and debris, manufacturing by-products and other non-toxic or non-caustic wastes, ashes, garbage, industrial by-products or waste, empty cans, food containers, bottles, crockery, utensils of any kind, boxes, barrels, and all other articles customarily considered trash or junk.

*Junk vehicles:* Any motor vehicle or trailer, which does not have lawfully affixed thereto an unexpired license plate, registration sticker and which is any of the following:

- Wrecked
- Damaged
- Dismantled
- Partially dismantled
- Inoperative
- Abandoned
- Discarded

*Major repair:* Any repair requiring more than a forty-eight (48) hour period to accomplish.

3. Prohibitions

No person shall park, allow to be parked, store, or place upon any public right-of-way, public or private property, any trash or junk except in receptacles for not longer than a twenty-four (24) hour period while awaiting lawful disposal.

A. No person shall keep or display on site, or allow any other person or business to keep or display on site, more than two motorized vehicles for the purpose of selling or marketing the motor vehicles, except a duly licensed motor vehicle dealer in a C-3 Zoning District that is operating on a site for which zoning approval has been granted.

B. No person shall park, store, or place upon any premises that is used or is zoned for any type of residential purpose within the township, any motor vehicles, tractor trailers, trailers, ORV's, dismantled or inoperable equipment or cause to accumulate new or used parts there from, unless the same is wholly contained within a fully enclosed building and does not violate any zoning ordinances of the township, or any laws of the State of Michigan, except for the following:

1. Duly licensed and operable vehicles or trailers with all main component parts attached.
2. Vehicles, trailers or equipment that are temporarily inoperable, because of minor mechanical failure, but which are not, in any manner, dismantled and have substantially all main component parts attached, which may remain upon such private property for a period not to exceed fourteen (14) days.
3. Not more than one vehicle in fully operating condition, such as stock car or modified car that has been re-designed or reconstructed for a purpose other than that for which it was manufactured, provided no building or garage is located upon the premises in which the same could be parked or stored. In no event shall any such vehicle be parked in the front or side street yard area of any such residential premises.

4. Exceptions

It shall be unlawful to park and/or store motor vehicles, tractor trailers, trailers, dismantled or inoperable equipment or to accumulate new or used parts on any property utilized for residential purposes, as defined herein, however; the following are not included within the definition of junk and are exempt from the requirements of this ordinance: equipment used in conjunction with farming operations conducted in accordance with generally accepted agricultural practices.

5. Nuisance

Any parking, storage, placement, or operation in violation of the provisions of this ordinance are hereby declared to be a public nuisance which may be enjoined or which may subject the violator to damages and the fines and penalties herein provided for.

Nothing in this Ordinance shall prohibit a private citizen or entity from bringing suit to abate a nuisance existent contrary to this ordinance.

6. Permitted Types of Use

This ordinance shall not prevent the operation of any licensed junk yard, salvage yard, garage, body, or paint shop legally operating within a proper zoning district as defined in the Morton Township Zoning Ordinance, and shall be in addition to any other laws or ordinances regulating rubbish, refuse, litter, trash, or junk control and regulations.

7. Penalty

Any person who violates a provision of this ordinance shall be responsible for a municipal civil infraction, and subject to a civil fine of up to five-hundred dollars, and court costs of not less than nine dollars or more than five hundred dollars, plus all expenses, direct and indirect, to which Morton Township has been put in connection with the municipal civil infraction. Each day that a violation continues shall constitute a separate violation. In addition to any remedy available at law, the Morton Township may bring a civil action for an injunction or other process to restrain, prevent, enjoin, or abate any violation of this ordinance.

9. Authorized local official

The Morton Township Ordinance Control Officer and the Morton Township Building Official are legally authorized to issue municipal civil infraction citations for violations of the Morton Township Junk Ordinance.

Section 4: This ordinance shall take effect on the date of publication.

The foregoing ordinance was offered by the Board Member J. Quinlan and supported by Board Member D. Behrend

UPON ROLL CALL VOTE:

The following voted Yea: J. Quinlan, Y. Bellingar, D. Behrend, M. Kuzma and J. Burkle

The following voted Nay: None

The following were absent: None

The Chair declared the ordinance adopted on October 13, 2009.

CERTIFICATION

I, Yulanda Bellingar, the duly elected and acting Clerk of Morton Township, hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board, of the Township of Morton, County of Mecosta, State of Michigan, at a regular meeting held on October 13, 2009 of said members as here-in-before set forth; that the ordinance was ordered to take effect on the date of publication. Date of Publication: November 4, 2009.

*Yulanda Bellingar*

Yulanda Bellingar  
Morton Township Clerk