

VILLAGE OF MUIR
AMENDED ORDINANCE No. 23
REGULATING OUTDOOR STORAGE OF JUNK AND JUNK VEHICLES

WHEREAS, the Village of Muir in order to manage and regulate outdoor storage of junk and junk motor vehicles within its boundaries, and to protect the public health, safety and well being, and to promote the responsible use of resources and protection of the environment, the Village Council of the Village of Muir hereby adopts this ordinance to regulate outdoor storage of junk and junk motor vehicles.

ARTICLE 1. DEFINITIONS

As used in this ordinance, the following terms shall have the respective meanings here assigned to them:

- 1.01 “Abandon” means to leave without claimed ownership for 30 days or more.
- 1.02 “Abutting property owner” means any person or persons, corporation or other entity that owns, leases, or in any other way uses or controls the real property abutting any portion of the property of another.
- 1.03 “Enforcement Officer” means any law enforcement officer appointed by the Village Council to enforce the provisions of this ordinance.
- 1.04 “Highway” means any highway, road, street or other public way, regardless of classification.
- 1.05 “Household appliance” means any range, stove, refrigerator, washing machine, clothes dryer, water pump, power tool and the like.
- 1.06 “Junk” means old or discarded scrap copper, brass, iron, steel or other metals, or materials including but not limited to tires, household appliances, furniture, rope, rags, batteries, glass, rubber debris, waste, trash, construction debris, plumbing fixtures, or any discarded, dismantled, wrecked, scrapped, or ruined motor vehicle or parts thereof. Any of the above items used in a bona fide agricultural operation are excluded from this definition.
- 1.07 “Junkyard” means any place of outdoor storage or deposit that is maintained, operated or used in connection with a business for storing, keeping, processing, buying or selling junk or as a scrap metal processing facility. “Junkyard” also means any place of outdoor storage or deposit, not in connection with a business, which is maintained or used for the storing or keeping of two (2) or more junk motor vehicles which are visible from any portion of a public highway. However, the

term does not include a private garbage dump or a sanitary landfill that is in compliance with state law, and any applicable state regulations. It does not mean a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs.

- 1.08 “Junk motor vehicle” means a discarded, dismantled, wrecked, scrapped or ruined motor vehicle or parts thereof, an unregistered motor home not connected to water and/or sewer, or a vehicle other than an on-premise utility vehicle which is allowed to remain unregistered for a period of 90 days from the date of discovery.
- 1.09 “Motor vehicle” means any vehicle propelled or drawn by power other than muscular power, including trailers. Functional vehicles and equipment used for agricultural and construction operations are excluded from this definition.
- 1.10 “Traveled way” means that portion of a public highway designed for the movement of a motor vehicle, shoulders, and roadside parking, rest, observation areas, and other areas immediately adjacent and contiguous to the traveled portion of the roadway.

ARTICLE 2. NO JUNK YARDS PERMITTED

- 2.01 No junk yards are permitted with in the Village of Muir.

ARTICLE 3. ENFORCEMENT AND PENALTIES

- 3.01 If the owner of the land on which a junk motor vehicle is discovered in violation of this ordinance does not hold title or disclaims title to the vehicle, and the true owner of the vehicle is known or can be ascertained, the true owner shall move, or dispose of the vehicle upon receiving written notice from the Village Council.
- 3.02 If the last known registered owner fails or refuses to reclaim the vehicle upon receiving said written notice, or if after an investigation the owner of the vehicle cannot be ascertained, the Village Council may notify the appropriate state or local agency.
- 3.03 A violation of this ordinance shall be a civil infraction violation which may be enforced in the Ionia County District Court, at the election of the Village Council.
- 3.04 For purposes of enforcement in the District Court, a sheriff deputy shall be the designated enforcement officer(s). Said designee(s) shall issue tickets and may be the appearing officer at any hearing.

- 3.05 The Village may pursue all appropriate injunctive relief. In addition, a civil penalty of not more than \$500.00 per violation may be imposed for violation of this ordinance. A civil infraction action may be initiated within [30 days] after written notification of violation is mailed by the Village Clerk or Village Council, if the violation has not been corrected in accordance with this ordinance. Each day that the violation continues shall constitute a separate violation of this ordinance.

ARTICLE 4. SEVERABILITY

- 4.01 If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof.
- 4.02 The Village Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional or ineffective.

Adoption of the foregoing amendment was moved by Council member Waterman and supported by Council member Kramer and with roll call vote was approved by a vote of two thirds of the members of the council of the Village of Muir with the following council members voting in favor of the ordinance and the following council members voting against the adoption of the amendment.

Yeas: Davis, Hyland, Kramer, Saurbek, Waterman, Crooke

Nays: -0-

Absent: Underwood

Amendment was declared adopted on December 1, 2009 and will be in effect After published in the Ionia Sentinel Standard on December 5,2009.

Village of Muir
Laura Stewart
Village Clerk

Delectable treats: Puttin

By JENNIFER
MASTROIANNI
GateHouse News Service

Guilty pleasures abound this time of year, so satisfying our lust for sweets is easy.

Some folks go crazy for pumpkin. Others swoon for chocolate. My knees go weak for anything caramel.

The rich, gooey amber pushes all my buttons. I love both its taste and texture in

hot beverages, cookies, custards, pies and more. If you, too, are a caramel fan, enjoy indulging in these recipes.

They range from a simple Toffee Coffee to a surprisingly easy Caramel Apple

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