

**VILLAGE OF EMPIRE
JUNK ORDINANCE
Ordinance No. 99 of 2006**

AN ORDINANCE TO DEFINE "JUNK" AND TO PROHIBIT JUNK FROM BEING PLACED ON ANY PROPERTY IN THE VILLAGE WHERE IT IS VISIBLE FROM ABUTTING PROPERTY OR FROM HIGHWAY, STREET, OR PUBLIC WAY; OR FROM BEING PLACED ON ANY PUBLIC PROPERTY OR THE PRIVATE PROPERTY OF ANOTHER; TO PROVIDE FOR THE ENFORCEMENT THEREOF; AND TO PROVIDE FOR SANCTIONS FOR THE VIOLATION THEREOF.

THE VILLAGE OF EMPIRE ORDAINS:

Section 1. "Junk" Defined.

As used in this Ordinance the term "Junk" shall include any of the following:

- (a.) any machinery, appliance, scrap materials, building materials, product or merchandise, scrap metal, or other materials, which are old, rusty, wrecked, damaged, deteriorated or discarded machinery, appliances, scrap metals, or which are not suited for use upon the premises, or the condition of which prevents its use for the purpose for which it was intended: or
- (b.) any motor vehicle which is not in operating condition, properly licensed, and capable of performing the transportation function for which it was manufactured. The purpose of this subsection is to prevent the accumulation of junk motor vehicles, and therefore, it shall not apply to any motor vehicle ordinarily used, but temporarily out of running condition: or
- (c.) household trash

Section 2. Prohibited Acts.

No person shall place, discard, or abandon junk in a place where it is visible from a highway, street, or other public way, or where it is visible to an abutting landowner from that portion of the land used on a regular basis or visible from a highway, street or other public way. No person shall place, discard, or abandon junk on public property or the private property of another, whether or not visible from a highway, street, or other public way, or from adjoining land.

Section 3. Enforcement.

A violation of this ordinance is a municipal civil infraction and shall be enforced in the manner provided by Chapter 87 of the revised Judicature Act [MCL 600.8701 et seq]. Violation of this ordinance shall be enforced by the Village Zoning Administrator who is authorized to issue municipal civil infraction notices and citations pursuant to the authority of and provided in applicable state law.

Section 4. Sanctions.

A violation of this ordinance is a municipal civil infraction and any person or firm found responsible for such violation shall be subject to a maximum civil fine of \$500.00 plus costs. Commencing thirty (30) days after receiving notice of a violation, unless said violation is abated, each day the violation continues shall constitute a separate violation of this ordinance.

Section 5. Severability.

Each of the provisions of this ordinance is severable and, if any provision is held invalid for any reason by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 6. Effective Date.

This ordinance shall take effective twenty (20) days after its enactment.

3-21-06

VILLAGE OF EMPIRE

By: _____
Michael J. Deering, President

By: _____
Patricia L. Zoyhofski, Clerk

Date: 3-21-06