

CHAPTER 692  
Vehicle and Trailer Parking and Storage

692.01	Definitions.	692.04	Declaration of nuisance.
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CROSS REFERENCES

- Occupancy of trailer homes - see CHTR. §5.16
- Commercial and heavy vehicles - see TRAF. Ch. 420
- Parking generally - see TRAF. Ch. 430
- Parking Violations Bureau - see TRAF. Ch. 440
- Parking overnight during winter - see GEN. OFF. 686.05
- Parking trailer homes outside of camps - see B.R. & T. 876.03

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**692.01 DEFINITIONS.**

As used in this chapter:

- (a) "Agricultural vehicle" means a motor vehicle or conveyance designed and intended for agricultural use, including, but not limited to, garden tractors, farm tractors and other implements, either self-propelled or customarily towed, which are used in farming operations, but shall not include lawn mowers, roto-tillers or other similar small equipment customarily associated with home gardening activities.
- (b) "Inoperable vehicle" means a vehicle as to which any of the following conditions obtains:
  - (1) It is being dismantled for the sale, salvage, repair or reclamation of parts thereof;
  - (2) It does not have all of its main component parts properly attached;
  - (3) Any other or additional conditions exist which cause the vehicle, if eligible for operation upon the public streets, to be incapable of being operated in a lawful manner upon the public streets.

- (c) "Main component parts" means all such parts or equipment as are necessary for a vehicle to be lawfully driven or drawn upon the public streets pursuant to the Michigan Vehicle Code, being Act 300 of the Public Acts of 1949, as amended, including fenders, hood, wheels, radiator, motor, windows, doors, muffler, body and essential engine parts.
- (d) "Motor vehicle" means every vehicle which is intended to move or transport persons or property and which is self-propelled by means of an internal combustion engine, including, but not be limited to, automobiles, trucks, vans, buses, truck-tractors, motorcycles, motorbikes, motor scooters, mopeds, bulldozers, front-end loaders and other types of construction equipment, logging skidders and snowmobiles.
- (e) "Person" means an individual, firm, partnership, corporation or other entity of any kind.
- (f) "Trailer" means every vehicle which is not self-propelled and is designed and intended for carrying persons or property and for being drawn by a motor vehicle.
- (g) "Vehicle" means motor vehicles, trailers and agricultural vehicles.

**692.02 PURPOSE.**

The purpose of this chapter is to limit and restrict the outdoor storage, parking and unreasonable accumulation of junked, unused, partially dismantled or inoperable vehicles, new or used vehicle parts, trailers, or new or used parts thereof, upon public and private premises within the City, to avoid injury and hazards to children and others attracted to such vehicles and trailers or parts thereof, to prevent degradation of the environment caused by such vehicles and trailers or parts thereof and to minimize the reduction of property values and the ill effects upon adjoining residents and property owners resulting from the presence of such vehicles and trailers and parts thereof.

**692.03 PARKING AND STORAGE RESTRICTIONS.**

No person shall park or store, or permit to be parked or stored, upon any public or private premises in the City that are owned, leased, rented, occupied or possessed by such person, any vehicle, including a motor vehicle for sale, any new or used motor vehicle parts, any trailer, or any agricultural vehicle, unless one or more of the following conditions exist:

- (a) Such parking or storage is located within a fully enclosed building; or
- (b) With respect to such parking or storage, all of the following are true:
  - (1) Such parking or storage does not occur in the front yard area of any premises; and
  - (2) Such parking or storage as might occur in the side yard or rear yard of any premises shall conform to the setback requirements set forth in the Zoning Code for buildings or structures in the zoning district wherein located; and

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- (3) Any such parking or storage shall at all times be completely screened from the view of persons standing on adjoining roadways and the ground level of adjoining properties by solid ornamental fencing, terrain, trees or other natural barriers; and
- (4) Such parking or storage is not otherwise prohibited by any other ordinance in effect within the City; or
- (c) Such vehicle is, where subject to a license requirement, currently and validly licensed for operation upon the public streets, is not inoperable and has all of its main component parts properly attached; or
- (d) Such vehicle or parts are located in a duly licensed and properly zoned junk yard, salvage yard or new or used car dealer's lot or storage yard, where such uses or operations are legally authorized under the Zoning Code and are conducted in conformance therewith; or
- (e) Such vehicle is awaiting repairs or delivery to owners at an authorized service station, garage, paint shop or body shop legally authorized under the Zoning Code and registered with the State, and is locked, and, where subject to a license, is currently and validly licensed for operation upon the public streets, and is not a public nuisance; or
- (f) Such vehicle, although temporarily inoperable because of minor mechanical failure, has substantially all of its main component parts attached, and, where subject to a license, is currently and validly licensed for operation upon the public streets, and is not in any manner a dismantled vehicle, provided, however, that the premises shall not contain any such vehicle for longer than thirty days, in any one calendar year, calculated on a cumulative basis for the same or different vehicles, and notwithstanding the fact that no one such vehicle remains upon the premises for more than the aforesaid thirty-day period; or
- (g) Such vehicle is a modified vehicle in a fully operational condition, such as a vehicle that is stock-modified, redesigned or reconstructed for a purpose other than that for which it was manufactured, provided that any such vehicle shall comply with both of the following restrictions:
  - (1) No such vehicle shall be parked or stored in the front yard area of any premises; and
  - (2) Any such vehicle parked or stored in a side yard or rear yard area shall conform to the required setback requirements applicable to buildings in the zoning district wherein located; or
- (h) Such vehicle is what is commonly referred to as a "classic car" or an "antique car" or a similar type of vehicle which is in the process of engine, mechanical or body restoration, provided that any such vehicle shall comply with both of the following restrictions:

- (1) No such vehicle shall be parked or stored in the front yard area of any premises; and
- (2) Any such vehicle parked or stored in the side yard or rear yard area shall conform to the required setback requirements applicable to buildings in the zoning district wherein located; or
- (i) Such vehicle:
  - (1) Is in operating condition; and
  - (2) Has all of its main component parts properly attached; and
  - (3) Is for sale by the owner or occupant of the premises; and
  - (4) Is posted with a "For Sale" sign.

This provision shall be limited to authorizing the outdoor storage of one such vehicle per lot or parcel at any one time and shall authorize the storage of such vehicle for not more than thirty days; or
- (j) Such vehicle is an agricultural vehicle which is not inoperable and which is used or useable for agricultural purposes on the premises where located; or
- (k) A special permit is first obtained therefor from Council for a period of not to exceed thirty days, to be granted only in special hardship cases beyond the control of the applicant where special or peculiar circumstances exist, where no adjoining property owner is adversely affected thereby and where the spirit and purpose of these regulations are still observed. A special permit granted hereunder may be renewed for not more than two additional thirty- day periods upon a showing of due diligence and continued satisfaction of the criteria established by this section.

**692.04 DECLARATION OF NUISANCE.**

Any outdoor storage or parking activities in violation of any of the provisions of this chapter are hereby declared to be a public nuisance which may be enjoined and/or which may subject the violator to the penalties and remedies described in this chapter.

**692.05 ENFORCEMENT.**

This chapter shall be enforced by the Police Department of the City or by such other person or persons as Council may, from time to time, designate.

**692.99 PENALTY.**

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

FIRST READING: October 13, 2011

SECOND READING: November 10, 2011

PUBLICATIONS: November 17<sup>th</sup> & November 18<sup>th</sup>, 2011

EFFECTIVE: November 28, 2011

**AMENDMENT TO CODIFIED ORDINANCES OF  
THE CITY OF NEGAUNEE, CHAPTER 692 VEHICLE AND TRAILER PARKING  
AND STORAGE**

The City of Negaunee ORDAINS:

That Chapter 692 of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended as follows:

**REPEALER**

§ 692.03(l) and §692.03(m) of the Codified Ordinances of Negaunee, Michigan, and any other ordinance, resolution, order or parts thereof in conflict with the provisions of this Amendment is, to the extent of such conflict, hereby repealed. This repeal shall be effective as of the effective date of the following Amendment.

**AMENDMENT**

§ 692.03 of the Codified Ordinances of Negaunee, Michigan, shall be, and hereby is, amended to add the following section:

§692.03 (l). Parking is prohibited during the months of May, June, July, August, September and October between the edge of the pavement and the sidewalk (where sidewalks exist). During the months of November, December, January, February, March and April, anyone parking in the City right-of-way shall not interfere with snow removal operations, clear sight lines, pedestrian traffic or otherwise have a negative impact upon City operations or neighboring properties. Anyone parking in the City right-of-way does so solely at his or her own risk and the City shall not be responsible for any damage to any vehicle or any object so parked.

The above Ordinance shall be published as required by law, and shall be effective on the 28th day of November, 2011.

Upon roll call,

Council members voting aye: Council Members VanStraten, Menhennick, Wills, Schuhknecht, Maino and Mayor Haines

Council members voting nay: Council Member Dompierre

WHEREUPON, this Ordinance is declared passed and adopted on this 10th day of November, 2011.

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By: Michael Haines, Its Mayor

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Attest: Judith K. Iwanski, City Clerk