

MASON TOWNSHIP ORDINANCE NO. 05-13-08-01

AMENDMENTS TO THE MASON TOWNSHIP VEHICLE STORAGE AND REPAIR ORDINANCE

Adopted: May 13, 2008

Effective: June 25, 2008

An Ordinance to amend the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02, as amended) to eliminate the 90% obscure requirement; to adjust the weight requirement on commercial motor vehicles; to specify the conditions under which and sizes of commercial motor vehicles which can be temporarily parked; and to repeal any parts of the Vehicle Storage and Repair Ordinance in conflict herewith.

THE TOWNSHIP OF MASON

CASS COUNTY, MICHIGAN

ORDAINS:

SECTION 1

AMENDMENT TO THE DEFINITIONS SECTION OF THE MASON TOWNSHIP VEHICLE STORAGE AND REPAIR ORDINANCE

Section III, subsection E. 1. of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to eliminate the number "10,001" and to replace it with the number "26,001"; the remainder of the subsection to remain intact.

SECTION 2

AMENDMENT TO THE REGULATIONS SECTION OF THE MASON TOWNSHIP VEHICLE STORAGE AND REPAIR ORDINANCE

Section IV, Subsection (A) 1. of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so eliminate the phrase "ninety percent (90%)" and to replace it with the phrase "completely"; the remainder of the subsection to remain intact.

Section IV, Subsection (B) of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to eliminate the phrase

“at least ninety percent (90%)” and to replace it with the phrase “completely”; the remainder of the subsection to remain intact.

Section IV, Subsection (C) of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to place the word “operable” between the word strings “storage of” and “farm machinery, vehicles” in the first sentence of this subsection.

Section IV, Subsection (C) of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby further amended so as to eliminate the phrase “in an area at least ninety percent (90%)” and to replace it with the word “completely” in the last sentence of the subsection, the remainder of the subsection to stay intact.

The introductory section of Section IV, Subsection (D) of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to eliminate the phrase “two (2)” and to replace it with the phrase “one (1)” modifying the remainder of the sentence to the singular and the remainder of the subsection to stay intact.

Section IV, Subsection (D) 2. of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to read, in its entirety as follows:

- “2. The vehicle is stored within a fully enclosed building or completely obscured from adjacent premises and roads when not being restored or tinkered with”.

Section IV, Subsection (D) 3. of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to place the phrase “completely obscured from adjacent premises and roads” at the end of this subsection before the period and to eliminate the parenthetical “s” from the word vehicle.

Section IV Subsection (D) 4. of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to eliminate the word “vehicle(s)” and to replace it with the words “a vehicle” and to eliminate the phrase “front yard or” in both instances; the remainder of the subsection to stay intact.

SECTION 3

AMENDMENT OF SECTION IV OF THE MASON TOWNSHIP VEHICLE STORAGE AND REPAIR ORDINANCE

Section IV, Subsection (E) 1. of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to eliminate the word

“vehicle(s)” and to replace it with the phrase “vehicle (limited to one tractor only)” and to insert the phrase “the driveway or” between the words “within” and “a fully enclosed”, the remainder of the subsection to stay intact.

Section IV, Subsection (E) 2. of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended so as to read, in its entirety, as follows:

“2. Said Parking is for loading and unloading purposes only”.

Section IV, Subsection (E) 3. of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) is hereby amended to as to read, in its entirety, as follows:

“3. No commercial motor vehicle may be parked or stored with its engine running for more than 30 minutes with proper exhaust system nor for more than 48 consecutive hours within a 7-day period without its engine running.”

A new subsection identified as “5” is hereby added to Section IV, Subsection (E) of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) to read, in its entirety, as follows:

“5. One commercial pick up truck designed to deliver pull-behind trailers (such as construction or recreational trailers) may be parked in the driveway of a residence with a trailer attached for no more than 48 consecutive hours. This section is not to be construed to allow the placement, parking or storage of trailers that are designed to haul or carry cargo without the simultaneous lawful storage of a commercial motor vehicle under this ordinance. Such vehicle must not violate any other provisions of this ordinance.”

A new subsection identified as “6” is hereby added to Section IV, Subsection (E) of the Mason Township Vehicle Storage and Repair Ordinance (Ordinance No. 10-11-05-02) to read, in its entirety, as follows:

“6. All off-street parking spaces required pursuant to this Article shall be located on the same lot as the principal use”.

SECTION 4

SEVERABILITY CLAUSE

Should any provision or part of the within ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the enforceability of the balance of this Ordinance which shall remain in full force and effect.

SECTION 5

SAVINGS CLAUSE

Legal proceedings presently pending on an Ordinance provision which is hereby repealed or under a provision of the Mason Township Vehicle Storage and Repair Ordinance that was renumbered by this Ordinance may proceed to judgment or decision and shall not be affected by this Ordinance.

SECTION 6

REPEAL OF CONFLICTING ORDINANCE PROVISIONS

All Ordinance provisions in conflict herewith are hereby repealed.

SECTION 7

EFFECTIVE DATE

The effective date of this amendatory ordinance shall be 30 days following a publication of a summary thereof after adoption by the Mason Township Board.

MASON TOWNSHIP

Linda Gibbs, Clerk

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