

CHARTER TOWNSHIP OF COMMERCE

ORDINANCE NUMBER 55-01-140 AMENDING ARTICLE XX OF THE ZONING ORDINANCE OF THE CHARTER TOWNSHIP OF COMMERCE

An Ordinance to amend Section 2013 of Article XX, Storage of Vehicles, Machinery or Like Items of the Charter Township of Commerce Zoning Ordinance Number 85-12-55-00 in its entirety.

The Charter Township of Commerce ordains:

SECTION 1 – AMENDMENT TO ORDINANCE

Section 2013 of Article XX of the Commerce Township Zoning Ordinance (No. 85-12-55-00) is hereby amended in its entirety to read as follows:

ARTICLE XX – GENERAL PROVISIONS

SECTION 2013. STORAGE OF VEHICLES, MACHINERY OR LIKE ITEMS

1. No motor vehicle shall be kept, parked, or stored in any district zoned for residential use, unless it shall be in operating condition and properly licensed, or kept inside a building. The purpose of this provision 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. If a motor vehicle is being kept for actual use, but is temporarily unlicensed, the Zoning Administrator may grant the owner a reasonable time, not to exceed thirty (30) days, to procure such license.

Likewise, no old, rusty and unsightly machinery, machines, or parts of machines not suited for use upon the premises, or quantities of old and used building materials, shall be kept or stored outside a building; provided, however, that building materials fit to be used to improve the premises may be kept if piled off the ground so as not to become a rat and rodent harbor.

If a motor vehicle is to be stored outdoors for a long period because a family member is in the military service, or some other reason, and the vehicle does not have an appearance detrimental to the area, the Zoning Administrator may grant the right to store the vehicle for said period without a license under the best conditions available, which conditions shall be stated in writing.

2. The open parking and/or storage of a travel trailer, boat, or similar vehicle not owned by the permanent occupant of the property where the vehicle is parked or stored shall be prohibited for periods exceeding twenty-four (24) hours unless a permit is issued to the owner of said vehicle by the Zoning

Administrator. The Zoning Administrator may issue temporary permits allowing the parking of such vehicles in a rear yard on private property for a period not to exceed two (2) weeks. An application for the permit shall contain a statement showing the street number of the occupied dwelling where the occupied camper or travel trailer coach is parked, or is to be parked, the name of the occupant in control of said dwelling and his endorsement granting permission of such parking, the name and address of the occupant of such camper or travel trailer coach; the license number of all units of such camper or travel trailer coach, the State issuing such license, and a statement indicating the exact location at which such camper or travel trailer coach last parked, including the State, County, City, Village, or Township where such parking occurred. A copy of such permit shall be posted on the camper or travel trailer coach for which it is issued in such a manner as to be readily noticeable at all times.

All travel trailers, boats, recreational vehicles, and similar vehicles owned by residents of the Township and stored on their individual lots, shall not be stored within any front yard and shall further comply with the requirements applicable to Accessory Buildings, Section 2003, insofar as distances from lot lines and easements are concerned; except that boats on a trailer may be temporarily placed in a front yard driveway during the period from May 1st to October 31st. This exception shall not apply to personal watercraft or boat trailers without boats. On lots adjacent to a lake, river, canal, or a similar navigable body of water, boats may be stored between the dwelling and the waterfront property lines. All travel trailers parked or stored on land not approved for travel trailers shall not be connected to sanitary facilities and shall not be occupied, except as otherwise provided in this Ordinance.

3. The parking or storage of motor vehicles or trailers of any kind or type that have been dismantled, totally or in part, wrecked, are without a current license plate, and/or are not normally used for non-commercial purposes shall be prohibited within any residential zone district except within a wholly enclosed building.

The parking or storage of any commercial vehicle on any property within a residential zone district shall be prohibited. "Commercial vehicle" shall include all motor vehicles specifically manufactured for commercial use, motor vehicles designed or used for transportation of passengers for hire, compensation, or profit, or motor vehicles designed, constructed, sold, equipped, or used for transportation of other vehicles, goods, wares, or merchandise, even if the vehicle is used exclusively to transport personal possessions, family members, or non-family members for non-business

purposes. One (1) commercial vehicle will be permitted per property, subject to compliance with all of the following conditions:

- A. The vehicle shall be used as the principal means of transportation for a resident in the conduct of such resident's employment or profession or is the resident's sole means of motor vehicular transportation;
- B. The vehicle is not a dump truck, stake truck, flat bed truck, cube van, step van, wrecker, well drilling rig, welding truck, tanker truck, semitractor, semitrailer or any vehicle that is used in the transportation of hazardous materials;
- C. No part of the vehicle exceeds eight feet (8') in overall height as measured from the ground;
- D. The vehicle has no outside hose reels, brackets, or holders for tools, pipes, glass, or other similar equipment;
- E. The vehicle has no more than one rear axle; and
- F. The vehicle does not exceed eleven thousand (11,000) pounds gross vehicle weight.

These provisions shall not prohibit the temporary location of a commercial vehicle while engaged in a delivery, pickup, drop off, or service run, or when temporarily parked during the performance of work at a particular location, nor shall they prohibit vehicles used for customary agricultural purposes on land dedicated to a legal agricultural use as defined in this Ordinance.

SECTION 2 – SEVERABILITY

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

SECTION 3 – REPEALER

All other Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 4 – SAVINGS CLAUSE


Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

SECTION 5 – EFFECTIVE DATE

This Ordinance shall take effect following publication in the manner prescribed by law. This Ordinance shall be published in the manner provided by law.

SECTION 6 – ADOPTION

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Commerce at a meeting duly called and held on the 10th day of July, 2001, and ordered to be given publication in the manner prescribed by law.



Sandra S. Abrams, Clerk



Thomas K. Zoner, Supervisor

Introduction:	June 12, 2001
Introduction Publication:	June 20, 2001
Adopted:	July 10, 2001
Adoption Publication:	July 18, 2001
Effective:	July 25, 2001