

**FRENCHTOWN CHARTER TOWNSHIP
USED CAR LOT ORDINANCE
Ord. No. 2; Date of Adoption: August 1963**

An Ordinance to provide for the licensing of used car lots within the Charter Township of Frenchtown, Monroe County, Michigan, in accordance with Act No. 232 of the Public Acts of 1937, as amended and to prescribe the amount of an annual license fee and to prescribe rules, regulations and conditions for the operation of the same and to provide for the administration, enforcement and penalties for the violations thereof.

PREAMBLE: Whereas it is declared that within the Township of Frenchtown, Monroe County, Michigan, it is necessary to protect the public health interests and general welfare to enact immediately an Ordinance applicable thereto:

The Charter Township of Frenchtown, Monroe County, Michigan, pursuant to the authority vested in it by the said Act 232 of the Public Acts of 1937, as amended, incorporated in the title of this Ordinance above ordains:

Section 1. Short Title.

Section 1.1 This Ordinance shall hereafter be known and may be cited as the “Used Car Lot Ordinance of Frenchtown Charter Township.”

Section 2. Definitions.

Section 2.1 The term “used car lot” as used in this Ordinance shall be construed to mean any place where used motor vehicles are displayed and offered for sale in the open.

Section 2.2 For the purpose of this Ordinance used car lots shall be divided into three classes, (A), (B), (C) as follows:

“Class (A) used car lot” means any lot for motor vehicles which can pass inspection, as may be provided in the Michigan Motor Vehicle Code, to operate on any public highway.

“Class (B) used car lot” means any Class (A) used car lot and any lot for motor vehicles which have been damaged in an accident, wreck or otherwise.

“Class (C) used car lot” means any Class (A) and Class (B) used car lot and any lot for used or second hand motor vehicles to which a certificate of title and license plates have been issued and which motor vehicles have been registered for use on the highways by a consumer or by a dealer, but which motor vehicles are presently junk.

Section 3. General Provisions.

Section 3.1 Any person, firm, association or corporation desiring a license to operate the business described in this Section shall make a written application upon a form to be described by the Township Board and furnished by the Township Clerk. The application shall contain the following information: name, age, post office address, applicant's residence, and the residence for five years preceding the date of application, legal description and also a plot plan showing the location of buildings, storage and display area, drives, streets, etc., of the premises upon which the business is to be operated.

Section 3.2 A renewal of a license to operate a used car lot shall be obtained in the same manner and after presenting the same form of application as that required for obtaining the original license.

Section 3.3 The Township Clerk of the Charter Township of Frenchtown is hereby authorized to issue a license to any person, firm, or corporation which has presented the form of application herein above described accompanied by the license fee as herein fixed, whenever such application has been approved by a majority of the Township Board.

Section 3.4 Whenever any person, firm or corporation operating pursuant to a license issued as aforesaid shall violate any of the rules or regulations as adopted herein, the Township Board of the Township of Frenchtown shall have the right to suspend or cancel said license and to direct the Township Clerk to return to said person, firm or corporation any license fee paid for the privilege of operating. Any person, firm or corporation aggrieved by such suspension or cancellation may upon written application have a hearing before the Township Board of the Charter Township of Frenchtown for the purpose of having the license so suspended and cancelled, reinstated and the decision of said Township Board made at the time of such hearing shall be final upon the question or reinstatement.

Section 3.5 Any person, firm or corporation licensed to operate under the terms of this Ordinance shall keep books or records in English describing all automobiles or parts purchased together with the name and residence of the person from whom purchased and the entries of the purchases shall be numbered consecutively. Such records shall also describe all automobiles or parts sold with the name and residence of the person to whom sold and the entries of the sales shall be numbered consecutively. In describing any automobiles or parts purchased or sold, the licensee shall describe said automobile or parts by identifying numbers using engine numbers, manufacturer's numbers, serial numbers and chassis numbers, if any.

Section 3.6 It shall be unlawful for any licensee to allow any used car to be removed from his premises by any person unless such person is possessed of an automobile driver's license which is, at the time or the removal of said automobile, in good standings.

Section 3.7 The licensee shall, at least once each month, prepare and mail to the Commissioner or the Michigan State Police at East Lansing, Michigan and to the Township Clerk of the Township of Frenchtown a sworn statement of all purchases and sales made by said licensee.

Section 3.8 No license shall be granted under the provisions of this Ordinance, in any case where any part of the premises shall lie within 100 feet for a Class A License or 300 feet for a Class B License in a direct line from the nearest point of any building used for church, synagogue, school, public library, hospital or residential district as defined by the Zoning Ordinance of the Township, and in all cases must be in districts as provided by the Zoning Ordinances of Frenchtown Charter Township.

Section 3.9 Class (A) used car lots may display and offer for sale, in the open lot, used cars providing that there is no repair work involved in connection therewith. STORED CARS MUST BE SET BACK 50 FEET OR IN LINE WITH THE EXISTING BUILDING LINE.

Section 3.10 Class (B) used car lots, in addition to the use permitted and regulations of Class (A) used car lots, may display and offer for sale in the open lot, used cars provided there is in existence on the premises a commercial building, of a minimum ground floor size of six hundred (600) square feet. Repair and maintenance of used vehicles which are offered for sale on the premises is permitted so long as repair and maintenance is done within the commercial building permitted by this Section of the Ordinance. In addition to the commercial building, there shall be a solid, tight, substantial metal or wooden fence at least six (6) feet high, which shall be painted and maintained in good condition, surrounding the lot. The height of stored vehicles shall not exceed the height of the fence, which fence shall be in line with the existing building line, but in no case less than fifty (50) feet from the highway easement. No signs shall be painted on or attached to any fence which surrounds a Class (B) used car lot. No parts from any motor vehicles, which have been damaged in an accident, wreck or otherwise, may be sold on a Class (B) used car lot.

Amended by Ordinance No. 2-1, October 2, 1986.

Section 4 Fee.

Section 4.1 The license fee for the operation of a used car lot, regardless of classification is hereby fixed at \$75.00 per year or fraction thereof. All licenses issued under and pursuant to this Ordinance shall terminate at midnight on December 31st of each year.

Section 5. Penalty.

Section 5.1 Any person, firm, association, or corporation which shall operate a used car lot without a license, or shall violate any rule, regulation or condition, shall be

deemed guilty of a misdemeanor, and shall be punished by a fine not to exceed one hundred (100) dollars and costs of prosecution, or by being imprisoned in the County Jail for not more than ninety (90) days, or both such fine and imprisonment at the direction of the court. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 6. Publication and Effective Date.

Section 6.1 The foregoing Used Car Lot Ordinance was adopted by the Frenchtown Township Board at a regular meeting held at the Frenchtown Township Hall, 2664 Vivian Road on the 12th day of December 1961 in accordance with Act No. 232 of Michigan Public Acts of 1937, as amended and shall be published by posting the same in three conspicuous places in the Township. Said Ordinance was ordered published in the Monroe Evening News, a newspaper having general circulation in Frenchtown Township, Monroe County, Michigan pursuant to the requirements of Act No. 191 of Public Acts of Michigan for the year of 1939 as amended. This Ordinance shall become effective thirty (30) days after date of said publication and upon its effective date this Ordinance shall supersede and repeal all Frenchtown Township Used Car Ordinances; provided, however, that in the calendar year 1963, the same being the first year in which this Ordinance is effective compliance by licensees with the provision for fences and/or building shall not be required until June 1, 1963.