

VEHICLE RESTRICTIONS

Ord. No. 405

Adopted: July 1, 1991

An Ordinance to prohibit the parking of certain vehicles upon the streets of residential districts within Fenton Township; and to prohibit the continuous running of any internal combustion engine within a residential district of Fenton Township.

RECITALS

The Township Board of the Charter Township of Fenton determines that the parking of vehicles having an empty weight in excess of 12,000 pounds gross vehicle weight upon the streets in residential districts of the Township creates a safety hazard by blocking visibility of drivers using the streets in an area of residential traffic, pedestrians and playing children. The Board also determines that the practice of having vehicle engines running for extended periods of time creates noxious fumes and unreasonable noise to the detriment of the health and welfare of the citizens of the Township.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1

It shall be unlawful for any person to park, or otherwise leave unattended, any vehicle having a gross empty weight in excess of 12,000 pounds gross vehicle weight upon the streets of a residential district in Fenton Township, except as otherwise provided in this ordinance.

SECTION 2

"A residential district" as used in this ordinance shall mean a district of the township which has been zoned R-1A, R-1B, R-1C, R-T, R-M1 or RMH.

SECTION 3

This ordinance shall not apply to any vehicle making a delivery within a residential district or engaged in a commercial activity necessitating the parking of the vehicle for a reasonable time to enable completion of the activity. The commercial activity contemplated by this section shall include by way of example only: parcel or home product delivery trucks; vehicles delivering construction material or assisting in a construction process; or moving vans.

SECTION 4

It shall be unlawful for any person to leave the internal combustion engine of any vehicle running for a period in excess of 20 minutes during any single 12-hour period within a residential district. of Fenton Township, as described in Section 2 hereof.

(Amended by Ord. No. 408 9-16-91)

SECTION 5. Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 528, 5-18-98; Ord. No. 570, 2-5-01)

SECTION 6

This ordinance shall be published as required by law and shall take effect on the 31st day after publication.

**JUNK VEHICLES
Ord. No. 492
Adopted: April 1, 1996**

An ordinance to define, prohibit and provide penalties for the keeping of junk motor vehicles in Fenton Township.

THE TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

SECTION 1. Definitions.

A junk vehicle shall be defined as:

- a. Any vehicle which is in such condition of disrepair that it shall not be legally operable upon any public road of this state or is unlicensed. Vehicles shall include, but are not limited to, automobiles, trucks, motorcycles, campers, trailers and motor homes.
- b. Any boat or other watercraft which is in such condition of disrepair that it shall not be legally operable upon any lake, pond, river or stream in this state or is unlicensed.

(Amended: Ord. No. 509, 5-19-97)

SECTION 2. Restrictions.

No junk vehicle shall be kept for any period of thirty (30) days or longer upon any premises within the Township of Fenton, which premises are not licensed as a junk yard or which premises are not a public vehicle repair garage regularly used and occupied as a legal commercial public vehicle repair garage.

Provided, however, that this shall not prohibit the keeping of junk vehicles stored wholly within an enclosed garage upon the premises owned or occupied by the owner of such junk vehicle(s).

Provided further, that this shall not prohibit the keeping of farm tractors or other motorized farm equipment upon any farm upon which such tractor or farm equipment is regularly used for farming operations nor shall it prohibit the keeping of motorized construction equipment upon commercial premises legally devoted to such construction business if such construction equipment is regularly used or is in a usable condition.

(Amended: Ord. No. 509, 5-19-97)

SECTION 3 Penalty for Violation.

Violation of any of the provisions of this Ordinance shall hereafter constitute a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500.00) together with the cost of prosecution and/or imprisonment in the Genesee County Jail or such other place of detention as the court may prescribe for a period of time not to exceed ninety (90) days.

(Amended: Ord. No. 528, 5-18-98; Ord. No. 570, 2-5-01)

SECTION 4. Effective Date.

This ordinance shall be published as required by law and shall take effect 30 days after enactment.

Enacted at a regular meeting of the Fenton Township Board held on the 1st day of April, 1996.

**VEHICLE CODE
Ordinance No. 614
Adopted: January 19, 2004**

An ordinance enacted pursuant to MCL 257.951-257.955 and MCL 42.15, 42.23 and 41.81 to adopt by reference the Uniform Traffic Code for Michigan Cities, Townships and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 Public Act 306, as amended (MCL 24.201 et seq) and made effective October 30, 2002, and to adopt by reference certain state laws and to repeal all ordinances or parts of ordinances in conflict herewith.

THE CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN
ORDAINS:

SECTION 1. Title.

This Ordinance and the provisions of the Uniform Traffic Code and state laws adopted by reference herein shall be collectively known and may be cited as the “Fenton Charter Township Traffic Code Ordinance”.

SECTION 2. Adoption Of Uniform Traffic Code By Reference.

The Uniform Traffic Code for Cities, Townships and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 Public Act 306, as amended (MCL 24.201 et seq) and made effective October 30, 2002 is hereby adopted by reference. All references in said Uniform Traffic Code to a “governmental” unit shall mean the Charter Township of Fenton.

SECTION 3. Adoption Of Provisions Of Michigan Vehicle Code By Reference.

The following provisions of the Michigan Vehicle Code, 1949 Public Act 300, as amended (MCL 257.1 et seq) are hereby adopted by reference:

- A. Chapter I (Words and Phrases Defined): MCL 257.1-257.82
- B. Chapter II (Administration, Registration): MCL 257.225, 257.228, 257.243, 257.244, 257.255, 257.256.
- C. Chapter III (Operator’s and Chauffeur’s License): MCL 257.310e, 257.311, 257.312a, 257.324, 257.325, 257.326, 257.328.
- D. Chapter VI (Obedience to and Effect of Traffic Laws): MCL 257.601-257.601b, 257.602-257.606, 257.611-257.616, 257.617a-257.622, 257.624a-257.624b, 257.625 (except felony provisions), 257.625a, 257.625m, 257.626-257.626b, 257.627-257.627b, 257.629b, 257.631-257.632, 257.634-257.645, 257.647-257.655, 257.656-257.662, 257.667-257.675d, 257.676-257.682b, 257.683-257.710e, 257.716-257.724.
- E. Chapter VIII (License Offenses): MCL 257.904-257.904a, 257.904e, 257.905.
- F. Public Acts 61, 134 and 165 of 2003.

SECTION 4. Adoption Of Other State Laws By Reference.

The following provisions of state law are hereby adopted by reference:

- A. Section 3102 of the Michigan Insurance Code of 1956, 1956 Public Act 218, as amended, pertaining to required insurance (MCL 500.3102).
- B. Subchapter 6 of Part 811 of the Natural Resources and Environmental Protection Act, 1994 Public Act 451, as amended, pertaining to off-road vehicles (MCL 324.81101-324.81147).

- C. Part 821 of the Natural Resources and Environmental Protection Act, 1994 Public Act 451, as amended, pertaining to snowmobiles (MCL 324.82101-324.82158).
 - D. Section 703 of the Michigan Liquor Control Act, 1998 Public Act 58, as amended, pertaining to minors and alcoholic liquor (MCL 436.1703).
 - E. The Motor Carrier Safety Act of 1963, 1963 Public Act 181, as amended, (MCL 480.11-480.22).
- (Amended: Ord. No. 631, 12-20-04)

SECTION 5. Penalties.

The penalties provided by the Uniform Traffic Code and the provisions of the state laws hereinabove adopted by reference are hereby adopted as the penalties for violations of the corresponding provisions of this Ordinance.

SECTION 6. Severability.

If a court of competent jurisdiction declares and provision of this Ordinance or the Uniform Traffic Code or a statutory provision adopted by reference herein to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision; provided that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

SECTION 7. Repeal of Previous Vehicle Code Ordinance.

Ordinance No. 613 of the Charter Township of Fenton is hereby repealed; provided that any violation charged before the effective date of this Ordinance under an Ordinance provision repealed by this Ordinance shall continue under the Ordinance provision then in effect.

SECTION 8. Effective Date.

This amendatory ordinance shall be published as required by law and shall take effect immediately after its enactment and publication.

Enacted at a regular meeting of the Charter Township of Fenton Board of Trustees held on the 19th day of January 2004.

RESIDENTIAL PARKING

Ord. No. 616

Adopted: March 15, 2004

An ordinance providing for the parking of commercial vehicles in residential zoning districts in the Charter Township of Fenton Township.

THE CHARTER TOWNSHIP OF FENTON, COUNTY OF GENESEE, MICHIGAN ORDAINS:

Section 1. Purpose.

It is unlawful for any person to park a commercial vehicle in a residential zoning district in violation of the terms of this Ordinance.

Section 2. Definitions

For the purpose of this Ordinance, the following terms shall have the meanings stated below.

A. Township. The Charter Township of Fenton, Genesee County, Michigan.

B. Board. The Township Board of said Township.

C. Commercial vehicles. Any vehicle bearing or required to bear commercial license plates.

[Examples include, but are not limited to: Truck tractors, semi trailer (including flat beds, stake beds, roll-off containers, tanker bodies, dump bodies and full or partial box type enclosures), ice cream trucks, milk trucks, bread trucks, fruit trucks, delivery trucks, electrician or electrical business trucks, plumbing business trucks, heating and cooling business trucks, other construction oriented trucks, tow trucks, commercial banking trucks, vehicle repair service trucks, snowplowing trucks, or any other vehicle with a commercial license plate having a gross vehicle weight in excess of ten thousand (10,000) pounds or a total length in excess of twenty two (22) feet.]

D. Residential lot. Any of the following zoning districts as described in the Fenton Charter Township Zoning Ordinance: R-1 Single Family Residential-Rural, R-2 Single Family Residential-Low Density, R-3 Single Family Residential-Medium Density, R-4 Single Family Residential, R-5 Single Family Residential, R-6 Single Family Residential-Attached, R-M Multiple Family Residential, R-MH Mobile Home Residential.

Section 3. Requirements.

Not more than one commercial vehicle as defined in Section 2 of this Ordinance may be parked outside on a residential lot as identified by the Fenton Charter Township Zoning Ordinance. In addition, it shall be unlawful for the owner, tenant or lessee of any lot to permit the open storage or outdoor parking of semi-tractor trucks and/or semi-trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery, unless the storage or sales of such vehicles is an approved use for the principal building on the site or unless the vehicles are temporarily parked while in use for approved construction on the property.

Section 4. Enforcement and Penalties.

This ordinance will be enforced by the Township Code Enforcement Officer. Violations of this ordinance shall be a misdemeanor, which shall be punishable upon conviction by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment not exceeding ninety (90) days or both such fine and imprisonment in the discretion of the Court. Each

day a violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 5. Validity.

Each section of this ordinance, and each provision of each section, is hereby declared to be separable, and the holding of any section or provision thereof to be invalid or unenforceable shall not affect the validity or enforceability of any other section or provision.

Section 6. Repeal.

All other ordinances or resolutions, insofar as the same or any part thereof may be inconsistent with any provision of this ordinance, are hereby repealed.

Section 7. Effective date.

This ordinance shall be published as required by law and take effect thirty (30) days following publication.

Enacted at a regular meeting of the Fenton Charter Township Board held on the 15th day of March 2004.