

## **ORDINANCE NUMBER 23**

### **USED CAR LOT ORDINANCE**

An Ordinance to license and regulate the operation of used car lots, pursuant to the authority of Michigan Public Act 232 of 1937, as amended, the same being M.S.A. 19.739 (1)-19.739 (5) inclusive; and Michigan Public Act 246 of 1945, as amended, the same being M.S.A. 5.45 (1).

#### **SECTION 1.0 APPLICATION**

- A. Any person, firm or corporation desiring to operate, establish or maintain a used car lot in the Township of Eureka, shall before undertaking to so operate, establish or maintain the same, first procure a license from the Township Board of said Township for that purpose.

#### **SECTION 2.0 ISSUANCE OF LICENSE**

- A. The Township Board after being reasonably certain that the applicant has complied with all regulations and restrictions as hereinafter provided, shall approve said application. Each person, firm or corporation, before carrying on said business as provided in Section 1 hereof, shall pay to the Township Clerk of Eureka Township a license fee of \$50.00, upon the approval of the application by the Township Board, and on January 1<sup>st</sup> of each year thereafter, subject only to the limitations of Section 3 hereof. The receipt of the Township Clerk for such payments shall be deemed to be the license of such applicant for any calendar year in which such receipt is issued.

#### **SECTION 3.0 REVOCATION AND CANCELLATION OF LICENSE**

- A. In the event the Township Board is reasonably certain that any licensee under this Ordinance shall have violated any of the provisions hereof, the Township Board shall cancel and revoke the license of such licensee forthwith. Such licensee, at any time thereafter may re-apply for a new license under the same conditions and regulations applicable to any other applicant.

#### **SECTION 4.0 LOCATION**

- A. No person, firm or corporation licensed under this act, nor any other persons, shall operate, establish or maintain a used car lot, or any part thereof, within a distance of fifty (50) feet of the center of any traveled street or thoroughfare.

## **SECTION 5.0            SIGN**

- A. Any licensee under this act operating, establishing and maintaining a used car lot shall display on the premises used therefore, a sign clearly visible to persons doing business with said licensee, stating the owner of said used car lot. The sign so displayed shall be a minimum of ten (10) square feet, with letters sufficiently large to be clearly readable at a distance of 100 feet.

## **SECTION 6.0            BUILDINGS**

- A. All buildings erected or to be erected on the licensed premises of any licensee hereunder shall have a ground floor area of not less than 100 square feet. The use of any tents, shacks, or other out buildings of a temporary nature by any licensee on the licensed premises is expressly prohibited.

## **SECTION 7.0            CONDITION OF PREMISES**

- A. Any licensee hereunder shall at all times keep his licensed premises in a clean and sightly condition. Any licensee hereunder who elects to cease operations, either temporarily or permanently, shall first remove from his premises all debris of whatever kind and description and shall leave said premises in a clean and orderly condition.

## **SECTION 8.0            PENALTY**

- A. Any person, firm or corporation operating, establishing or maintaining a used car lot without a license, or in violation of any of the provisions of this Ordinance shall be deemed to be guilty of a misdemeanor, and be

subject to a fine of not more than \$100.00, or be imprisoned in the county jail for not more than 90 days, or both. Each day that such violation occurs shall constitute a separate offense.

**SECTION 9.0                    UNCONSTITUTIONALITY**

- A. Should any provision of any section of this Ordinance be held unconstitutional or invalid, such holding shall not be construed as affecting the validity of the remaining provisions of this Ordinance, which shall stand notwithstanding the invalidity of any other provisions or sections.

**SECTION 10.0                POSTING OF ORDINANCE**

- A. Within five (5) days after the adoption of this Ordinance, and before the same shall take effect, the Township Clerk shall post, or cause to be posted, copies of said Ordinance in three (3) conspicuous places in Eureka Township. An affidavit of said posting shall be filed with the Township Clerk.

**SECTION 11.0                EFFECTIVE DATE**

- A. This Ordinance shall take effect thirty (30) days from the date of publication in the Greenville Daily News.

**Adopted: 11/6/79**  
**Published: 11/14/79**  
**Effective Date: 12/14/79**