

WHITEHALL TOWNSHIP GENERAL CODE  
AMENDMENT BY ADDITION  
ARTICLE 16

**ARTICLE 16 PARKING AND STORAGE OF VEHICLES,  
BOATS, TRAILERS, SEMI-TRAILERS,  
PORTABLE STORAGE UNITS AND RECREATIONAL  
EQUIPMENT**

**1601 PURPOSES**

This is an ordinance to adopt rules and regulations for the parking and storage of vehicles, boats, trailers, semi-trailers, portable storage units and recreational equipment within the Township of Whitehall, Muskegon County, Michigan and to provide penalties for the violation thereof.

**1602 DEFINITIONS**

The term "Vehicle" shall have the meaning conferred by Section 79 of the Michigan Vehicle Code, being MCL 257.79. A vehicle further includes and means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices exclusively moved by human power. Provided further that a "vehicle" shall not be disqualified as such regardless whether it is or is not in operating condition.

The term "Portable Storage Units" shall have the meaning conferred by Webster's Dictionary (copyright 1978, Airmont Publishing Co., Inc), as a temporary repository to store articles, items and goods.

The term "trailer" shall have the meaning of a tow able wheeled

devise, covered or uncovered, to transport articles, items or goods.

### **1603 PARKING AND STORAGE OF VEHICLES, BOATS, TRAILERS AND RECREATIONAL EQUIPMENT**

The storage, parking or use, continuously for a period in excess of forty-eight (48) hours (ninety-six (96) hours for trailers, semi-trailers, portable storage units, or moving trucks in the process of loading or unloading), or commercial trailers or non-commercial trailers, motor homes, travel trailers, campers or camper bodies, boats, personal watercraft, off-road vehicles, tents and/or commercial vehicles in excess of one (1) ton rated capacity, shall be prohibited within a setback thirty-five (35) feet from the center of the road portion of any street abutting any lot or combination of lots used for residential purposes in any A, AA, AM or B zone. Nor shall any bus, tractor trailer, commercial trailer, portable storage unit, or any other commercial vehicle or trailer of rated capacity greater than one (1) ton be stored, parked or used continuously for a period in excess of forty-eight (48) hours (ninety-six (96) hours for trailers, semi-trailers, portable storage units or moving trucks in the process of loading or unloading) on lot or combination of lots used for business or residential purposes in any A, AA, AM, or B zone. If necessary use will be in excess of forty-eight (48) hours, you will need to obtain a permit allowing up to ninety-six (96) hours for any bus, tractor trailer, commercial trailer, portable storage units, or any other commercial vehicle, or trailer of rated capacity greater than one (1) ton.

### **1604 VIOLATIONS**

Any person, firm or corporation who violates the provisions of this article shall be responsible for a municipal civil infraction. The sanction for a violation of this Ordinance shall include the following:

A. Civil fine of not less than fifty dollars (\$50.00), plus costs, reasonable attorney fees, and other sanctions.

B. Increased civil fines may be imposed for repeated violations of this Ordinance by a person, firm, or corporation. A “repeat violation” of this Ordinance is a second or subsequent violation of this Ordinance committed by person, firm, or corporation within six (6) months of a prior violation of this Ordinance; and for which the person, firm, or corporation admits responsibility or is determined to be responsible.

C. The sanctions for a violation of this Ordinance which is a first repeat violation shall be a civil fines of not less than two hundred fifty dollars (\$250..), plus costs, reasonable attorney fees, and other sanctions.

D. The sanctions for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than five hundred dollars ((\$500.00), plus costs, reasonable attorney fees, and other sanctions.

The Township Supervisor, any law enforcement officer, the Township Zoning Administrator, and the Township Attorney are authorized to use municipal civil infraction citations for violations of this Ordinance. The service of citations or municipal civil infractions under this Ordinance may be served by personal delivery, by first class mail, or by affixing the citation to the vehicle, boat, or trailer parked in violation of this Ordinance.

In addition to the sanctions provided in this Ordinance for violation

of its provisions, any person who is determined to be responsible for amunicipal civil infraction because of any damage that he/she has caused to Township property shall reimburse the Township for the amount of damages suffered by the Township to repair the damage for which the person is responsible, as determined by the court. If a person is responsible for an act of Vandalism, that person shall reimburse the Township for up to three times the amount of damages as determined by the court, as well as costs and attorney fees.

### **1605 SEVERBILITY**

Should any court declare any provision or section of this Ordinance unconstitutional or invalid, then such decision shall affect only the section or provision so passed upon, and shall not affect any other section of provision of this Ordinance.

### **1606 EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days after its publication in the manner provided by law.

Amended: October 24, 2011

Published: October 31, 2011

Effective: December 1, 2011