

**BANKS TOWNSHIP
NUISANCE ORDINANCE AMENDMENT
Ordinance No. 3 of 2022**

**AN ORDINANCE TO AMEND THE BANKS TOWNSHIP NUISANCE
ORDINANCE**

THE TOWNSHIP OF BANKS ORDAINS:

Section 1. Amendment of Section 2.

The definition of "Inoperable" within Section 2 of the Banks Township Nuisance Ordinance is hereby amended to read in its entirety as follows:

"Inoperable" means incapable physically of being used for the purpose or purposes for which an item is designed or normally used due to dismantling or disrepair. In addition, the following items shall be deemed inoperable: any motor vehicle, all-terrain vehicle, self-propelled recreational vehicle, or snowmobile which lacks functioning tires or treads that permit self-propelled motion and any boat with a hole or holes in its hull.

Section 2. Amendment of Subsections 3.A, 3.B, 3.J, and 3.K.

Subsections 3.A, 3.B, 3.J, and 3.K of the Banks Township Nuisance Ordinance are hereby amended to read in their entirety as follows:

- A. The keeping or storage of building materials outside on private property six (6) months after an occupancy permit is issued by the Antrim County Building Department in a location that allows those building materials to be visible to a reasonably observant person without the aid of any optical enhancing equipment other than ordinary eye glasses or contact lenses from a public or private road or from a public waterway. This subsection, however, shall not apply to building materials kept or stored outside on private property if the building material is kept or stored in an orderly fashion. As used in this subsection, the phrase "building material kept or stored in an orderly fashion" shall mean that all building material of the same type, including but not limited to lumber (both stick and sheet wood), cement blocks, bricks, roofing material, and siding shall be kept or stored together and not kept or stored intermingled with building material of a different type and shall be stacked in an organized fashion customary for that type of building material. By way of example and not limitation, stick lumber shall be piled with all sticks substantially parallel to one another, sheet wood shall be piled one on top of another with the area of one sheet covering as much as possible the area of the sheet beneath it, cement blocks and bricks shall be stacked in the shape of a cube in such a manner that they will not fall off the stack, and siding shall be piled with each piece substantially parallel to one another.
- B. The keeping or storage of ashes, junk, garbage or rubbish outside of a totally enclosed structure on private property in a location that allows those items to be visible to a reasonably observant person without the aid of any optical enhancing

equipment other than ordinary eye glasses or contact lenses from a public or private road or public waterway, except when the storage is in a sealed container designed for the purpose of holding such ashes, junk, garbage, or rubbish.

- J. Except as provided in subsections 1 - 2 below, the keeping or storage of inoperable or dismantled motor vehicles, boats, all-terrain vehicles, recreational vehicles, snowmobiles, and/or trailers in a location that allows those items to be visible to a reasonably observant person without the aid of any optical enhancing equipment other than ordinary eye glasses or contact lenses from a public or private road or from a public waterway.
1. An inoperable or dismantled motor vehicle, boat, all-terrain vehicle, recreational vehicle, snowmobile, and/or trailer may be kept outside of a totally enclosed structure on private property for no more than sixty (60) days for the purpose of being repaired or awaiting repairs. This subsection shall apply to individuals making the repairs and to gas and service stations engaged in the business of making repairs.
 2. An inoperable or dismantled motor vehicle, boat, all-terrain vehicle, recreational vehicle, snowmobile, and/or trailer may be kept outside of a totally enclosed structure on private property for no more than sixty (60) days for the purpose of being marketed for sale.
- K. The keeping or storage of inoperable or dismantled marine equipment on private property in a location that allows that marine equipment to be visible to a reasonably observant person without the aid of any optical enhancing equipment other than ordinary eye glasses or contact lenses from a public or private road or from a public waterway.

Section 3. Amendment of Section 3.

Section 3 of the Banks Township Nuisance Ordinance is hereby amended to repeal Subsection 3.E in its entirety and reserve it for future use.

Section 4. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 5. Effective Date.

This Ordinance shall become effective the day following its publication in a newspaper of general circulation within the township.

Ordinance No. 3 was adopted on the 19th day of September 2022, by the Banks Township Board as follows:

Motion by: David Rasmussen, Trustee

Seconded by: Tom Cooper, Trustee

Yeas: Cooper, Rasmussen, Postmus, Heeres, Busman

Nays: None

Absent: None



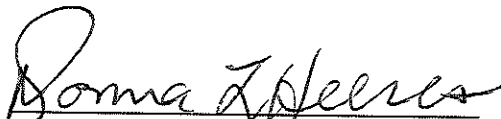
Donna L. Heeres, Clerk



Alex Busman, Supervisor

I certify that this is a true copy of Ordinance No. 3 that was adopted at a regular meeting of the Banks Township Board on September 19, 2022 and published in the Antrim Review on September 29, 2022.

Dated: September 29, 2022



Donna L. Heeres, Clerk