

**VILLAGE OF MAYBEE  
MONROE COUNTY, MICHIGAN  
ORDINANCE NO. 2006-006**

An Ordinance prohibiting the storage of commercial vehicles in zones that do not allow such storage, and repealing all Ordinances or parts of Ordinances in conflict herewith.

THE VILLAGE OF MAYBEE ORDAINS:

**Section 1.00 Short Title.**

This Ordinance shall be known as the “Maybe Commercial Vehicle Storage Ordinance”.

**Section 2.00 Purpose.**

This Ordinance has been established for the purpose of:

- (A) Promoting and protecting the public health, safety, and welfare;
- (B) Preventing the unlawful storage of commercial vehicles on residential property;

**Section 3.01 Interpretation of Language.**

For the purpose of this Ordinance, the following rules of interpretation shall apply to the text of this Ordinance:

- (A) The particular shall control the general.
- (B) The word “shall” is always mandatory and not discretionary. The word “may” is permissive and discretionary.
- (C) Words used in the present tense shall include the future. Words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (D) A “building” or “structure” includes any part thereof.
- (E) The word “person” includes an individual, a corporation, a partnership, a public utility, joint venture, firm, an incorporated association, or any other similar entity.
- (F) Unless the context clearly indicates the contrary, or a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or”, “either...or”, the conjunction shall be interpreted as follows:
  - 1. “And” indicates that all the connected items, conditions, provisions, or events shall apply.

2. "Or" indicates that the connected items, conditions, or provisions, or events may apply singly or in any conditions.
3. "Either...or" indicates that the connected items, conditions, or provisions, or events may apply singly, but not in combination.

(G) Terms not herein defined shall have the meaning customarily assigned to them.

**Section 3.02 Definitions.**

**Person:** Any person, organization, corporation or company.

**Commercial Vehicle:** Any vehicle falling into one or more of the categories listed below:

- Truck tractor.
- Semi trailer, which shall include flat beds, roll-off containers, tanker bodies, dump bodies and full or partial box-type enclosures.
- Any vehicle with a commercial license having a Gross Vehicle weight in excess of ten thousand (10,000) pounds and/or a total length in excess of 22 feet.

**Storage:** To place, leave, or park in a location for later use or disposal.

**Zoning Approval:** Authorization obtained pursuant to provisions of the Village of Maybee Zoning Ordinance.

**Section 4.01 Residential Parking or Storage Prohibited.**

It is unlawful for any person to cause the storage of a commercial vehicle on any residential property unless Zoning Approval for such storage has been issued and is in effect. This provision shall not apply to commercial vehicles temporarily parked – less than eight (8) hours – in a residential area in conjunction with maintenance or service to a residential property.

**Section 4.02 Presumption of Ownership.**

In any proceeding for violation of any parking provision of this Ordinance, the person to whom a commercial vehicle is registered, as determined from the registration plate displayed on said motor vehicle, shall be presumed in evidence to be the person who committed the violation charged.

**Section 5.00 Penalty.**

Any person violating Section 4.01 of this Ordinance shall be guilty of a misdemeanor, and, upon conviction, shall be subject to a fine not exceeding Five Hundred Dollars (\$500.00), or imprisonment for a period not to exceed ninety (90) days, or both such fine and imprisonment.

**Section 6.00 Severability.**

This Ordinance and each of the various parts, sections, sub-sections, provisions, sentences and clauses are hereby declared to be severable. If any part, section, provision, sentence or clause is adjudged unconstitutional, invalid or unenforceable for any reason by a court of competent jurisdiction, such finding shall not affect the validity of the remainder of this Ordinance, which shall remain in full force and effect.

**Section 7.00 Conflicting Provisions Repealed.**

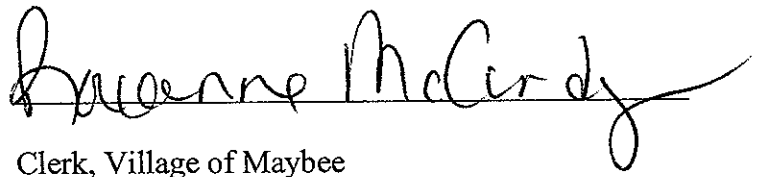
All other Ordinances and parts of Ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

**Section 8.00 Savings Clause.**

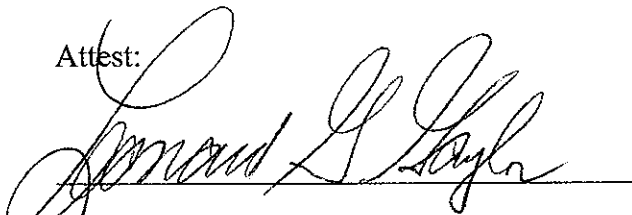
All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

**Section 9.00 Effective Date.**

This Ordinance is hereby declared to have been enacted by the Board of the Village of Maybee, Monroe County, Michigan at a meeting thereof, called and held on the 13th day of Sept., 2006, and shall take effect 20 days after publication.

  
Clerk, Village of Maybee

Attest:

  
President, Village of Maybee