

ORDINANCE 2A  
RESOLUTION

A resolution or ordinance to license and regulate used car lots to prescribe the fee therefore and the rules regulations and conditions for the operation and licensing thereof and to prescribe penalties for violation of this resolution.

The Township of Flowerfield of the County of St. Joseph and State of Michigan, resolves and ordains:

1. It shall be unlawful for any person, firm, corporation or association to operate, conduct or carry on any used car business as defined by Sec.19.739 (1) of the Michigan Statutes Annotated in said Township of Flowerfield without first having obtained a license therefore from the Clerk of said Township.

2. Applications for such license shall be in writing and signed by the applicant or applicants and shall contain the correct legal description of the premises where such business is to be conducted and shall further state the age and previous residences of the applicants, and list any violation of laws or ordinances of which said applicant or applicants may have been previously convicted, and list any license denials or revocations previously suffered by said applicant or applicants. The statements contained in such applications shall be verified before a Notary Public or some other officer of this state authorized to take oaths and affirmations.

3. The annual fee for such license shall be \$25.00 dollars, payable in advance.

4. As a condition to the original granting of such license and the operation of such used car lot, as a part of said application, the applicant or applicants shall obtain from 65% of the freeholders residing in said township within one half mile radius of the place where said business is proposed to be conducted, a written statement or waiver addressed to said township board recommending that such license be granted.

5. Such application with said recommendation attached and the annual fee shall be delivered to the Clerk of said Township who shall present the same to the next meeting of said Township Board.

6. If said application is in accordance with the requirements herein and the statements therein are true and the applicants are over 21 years of age, and persons of good character, and have paid the license fee and have obtained the recommendation of freeholders as herein provided, then said Board shall grant said license and authorize the Clerk of said Township to issue the same forthwith.

7. The requirement for the recommendation of freeholders set forth in paragraph four above, shall not be required on any renewal of the original license if the same has not been revoked.

8. Said licensee shall operate, conduct and carry on said business without violating the resolution and the ordinances of this Township, the laws of Michigan or the laws of the United States.

9. Said licensee shall at least once each month prepare and mail to the Commissioner of the State Police at East Lansing, Michigan, and to the Secretary of State at Lansing, Michigan, a sworn statement of all purchases and sales made by the said licensee.

10. The used car lots operated by such licensee in said Township shall have a six (6) foot woven wire fence, or one similar thereto as adequate, along any adjoining highway, except at driveways.

11. The cars offered for sale by said licensee shall be not less than 20 rds. from said road fence. except when being driven to and from such portion of said premises.

12. All buildings on said premises shall be not less than 20 rods from said road fence, except buildings on said premises at the effective date of this resolution or ordinance.

13. Said licensee, his agents or employees, shall not pile, place or strew about on said car lot any rubbish, junk, tires, car parts, or car bodies and shall not use said car lot as a place for the dismantling or assembling of motor vehicles, unless such licensee shall also have a junk yard license.

14. Said license shall not be transferable and shall permit such business to be conducted only on the premises described in said application.

15. Said license shall be subject to revocation by said Board upon failure to conduct said business in conformity with any of the rules, regulations or conditions, herein contained, or if any of the statements in the said application are found to be false, or if 65% of the freeholders residing in said Township within a radius of one-half mile from the place of said business petition said Township Board therefor.

16. Before revoking said license said licensee shall be notified by mail in writing at his or their last known address of the reasons for such proposed revocation and shall be advised therein of the date of the next meeting of said Board where he is they shall be entitled to appear and give reasons why such license shall not be revoked.

17. Such revocation shall be in writing, signed by a member of the Township Board and mailed by registered mail to licensee at his or their last known address.

18. Any person, firm, association or corporation which shall operate a used car lot without a license, or shall violate any rule, regulation or condition hereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided by the laws of this state.

19. Within five (5) days after the adoption of this resolution and before the same shall take effect, said resolution

AMENDMENT TO ORDINANCE

A resolution to amend the ordinance to license and regulate used car lots, to prescribe the fee therefore, and the rules, regulations and conditions for the operation and licensing thereof, and to prescribe penalties for violation of this ordinance.

The Township of Flowerfield in the County of St. Joseph and the State of Michigan, resolves and ordains:

That said ordinance to license and regulate used car lots heretofore enacted by this Township on the 28<sup>th</sup> day of April, 1951, be and the same is hereby amended as follows:

1. The words and figures in section 3 thereof "one hundred (\$100.00) dollars) be stricken and there be inserted in lieu thereof "twenty-five (\$25.00) dollars).

2. The words and figures in Section 11 thereof "20 rods" be stricken and there be inserted in lieu thereof "75 feet".

3. This amendment shall become effective upon due notice of its enactment and on the 1<sup>st</sup> day of May, 1961.

4. Except as above amended, said ordinance is hereby re-enacted.

The foregoing amendment to ordinance was passed by vote of the Township Board of Flowerfield Township and the members of said board voted thereon, as follows:

*James Anderson - yes! Elmer  
Hauter - yes! Leonard Mahoney - yes! Thelma Miller - yes!  
C.B. Castle - yes!*

I hereby further certify that the foregoing amendment to said ordinance was published in the Commercial a newspaper circulated within said Township on the 1<sup>st</sup> day of May, 1961.

C.B. Castle  
Township Clerk