

ARTICLE R25

SECTION R 25.01 LICENSING OF USED CAR LOTS

AN ORDINANCE TO PROVIDE FOR THE LICENSING OF USED CAR LOTS, AND THE BUYING, SELLING OR DEALING IN MOTOR DRIVEN VEHICLES AND TRAILERS; TO PRESCRIBE THE AMOUNT OF ANNUAL LICENSE FEES; TO PROVIDE THE FORM OF APPLICATION FOR LICENSE; TO ADOPT RULES, REGULATIONS AND CONDITIONS FOR THE OPERATION OF USED CAR LOTS; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE TOWNSHIP OF FRUITLAND ORDAINS:

SECTION R 25.02 TITLE

This Ordinance shall be known as the Fruitland Township Used Car Lots Ordinance.

SECTION R 25.03 PURPOSE

The fundamental purpose of this Ordinance is to protect the public health, interests and general welfare of the Township of Fruitland.

SECTION R 25.04 APPLICATION FOR LICENSE

The application for such license shall be made by the applicant upon blanks to be furnished by the Township Clerk and shall contain:

- a. The full name and address of the applicant, and if the applicant be an individual, or partnership, the ages of the applicant or applicants.
- b. The business location at which such business is to be conducted.
- c. The date and number of the license issued by the Secretary of State, of the State of Michigan, authorizing the buying, selling or dealing in motor vehicles or parts thereof.
- d. The date and number of the license issued by the State of Michigan, authorizing the applicant under provisions of Act 167 of the Public Acts of Michigan of 1933, to engage in the business of selling tangible personal property at retail.
- e. The "Dealers License Plate Number" issued by the Motor Vehicle Division of the State of Michigan.

SECTION R 25.05 DEALERS LICENSE PLATES

Each licensee shall have purchased from the Secretary of State of the State of Michigan at least two sets of dealers license plates, and shall use such dealer plates on all motor vehicles not currently registered, whenever such motor vehicles are being driven upon the highways of the Township of Fruitland.

SECTION R 25.06 ANNUAL LICENSE FEES

The annual license fee shall be \$25.00 per year for each location in the Township of Fruitland and shall be payable on May 1 of each year, in advance or portions thereof.

SECTION R 25.07 INSURANCE

Each licensee shall carry a policy of Public Liability and Property Damage insurance in a company licensed to operate in the State of Michigan, conditioned to pay on behalf of the insured all sums which the insured shall become obligated to pay by reason of the liability imposed upon him by law for damages of bodily injury, including death therefrom, sustained by any person or persons caused by accident and arising out of the obligations of licensee, to a limit of liability for damages due to injuries to or death of any one person, and to a limit of \$20,000.00 covering more than one person thus injured including death therefrom in any one accident, and to pay on behalf of the insured all sums which the insured shall become obligated to pay by damages to and destruction of property caused by accident and arising out of the operation of the licensee to a limit not to exceed \$5,000.00. The Township Clerk shall be provided with a copy of such insurance policy of policies.

SECTION R 25.08 RECORD OF PURCHASE

Each licensee shall keep at the principal place of business named in the license issued to said licensee, a record of the purchase or sale of all motor vehicles sold, owned or purchased or offered by the licensee for sale, which record shall be open to the inspection of the Constable of Fruitland Township, or the Sheriff of Muskegon County, during the usual business day of each licensee, without the formality of legal process.

SECTION R 25.09 EFFECTIVE DATE AND PUBLICATION

This Ordinance shall take effect thirty (30) days after the first publication, and publication of said Ordinance shall be made by causing a true copy thereof to be inserted once in the Whitehall Forum, a newspaper circulated within said Township, which insertion shall be made within ten (10) days after the passage thereof. Within one week after the first publication as hereinafter provided the Township Clerk shall record said Ordinance in a book of Ordinances kept by him for that purpose and record the date of the passage thereof, the names of the members voting thereon and how each member voted. Said Clerk shall also under said ordinance in a blank space provided thereof, made and sign a certificate stating the date of publication thereof and the name of the newspaper in which it was published.

SECTION R 25.10 PENALTIES

Any person, firm or corporation who violates a provision of this ordinance or any person who knowingly or intentionally aids or abets another person in violation of this ordinance, shall be responsible for a civil infraction and subject to fines as published by the Township from time to time. Each day's continued violation shall constitute a separate and distinct offense.

Passed: July 17, 1958
Published: July 24, 1958

Amended: April 18, 2005 to amend numbering, article and section identification
Published: April 24, 2005
Effective: May 01, 2005

Amended: July 16, 2012
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