

ARTICLE III. OPEN STORAGE

DIVISION 1. GENERALLY

Sec. 12-61. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Open storage means the storage for a period of fifteen (15) days or more of an unlicensed or inoperable vehicle, appliance, implement or machinery, or any part thereof, outside of a building.

Public nuisance means that which annoys, injures or endangers the safety, health, comfort or repose of the public; offends public decency or interferes with or renders dangerous any street, highway, navigable lake or stream; or in any way renders the public insecure in life or property.

Vehicle means any automobile, truck, trailer, semitrailer, tractor, motor bus, snowmobile or any self-propelled or motor or mechanically driven vehicle or any vehicle intended to be attached to, connected with or drawn by any self-propelled or motor or mechanically driven vehicle, or any part thereof (pick-up campers and covers are not to be classified as vehicles). (Ord. No. 250A, § 1, 9-9-81)

Secs. 12-62-12-75. Reserved.

DIVISION 2. LICENSE

Sec. 12.76. Required.

Open storage by any person on any parcel of land two (2) acres or less in size is hereby declared to be unlawful. Open storage on any parcel of land greater than two (2) acres in size is hereby declared to be unlawful without such person having first obtained a license therefor from the township clerk with the approval of the township board of trustees. All open storage on any parcel of land two (2) acres or less in size is hereby declared to be a public nuisance. All unlicensed open storage on any parcel of land greater than two (2) acres in size is hereby declared to be a public nuisance.

(Ord. No. 250, § 2, 3-28-79)

Sec. 12.77. Application.

Application for an open storage license shall be made to the township board of trustees (the "board") as follows:

- (1) Application shall be in writing, duly verified by the applicant, on a form furnished by the board and filed with the township clerk. The form shall include the name and address of the applicant, the nature and extent of the open storage contemplated, the reasons therefor, and the location and description of the land upon which open storage is contemplated. In addition, the board may require of the applicant such other information as may assist the board in acting on the application.
- (2) The fee for each open storage application shall be twenty-five dollars (\$25.00) for each year or fraction thereof, payable with the application to the township clerk.
- (3) All applications shall be presented by the township clerk to the board at the first regular meeting thereof following application. The board may, if deemed advisable, adjourn its proceedings on any application for the purpose of holding public hearings, or securing additional information regarding the application, however, in no event shall such adjournment exceed sixty (60) days.

(Ord. No. 250, § 3, 3-28-79)

Sec. 12.78. Rules, regulations and conditions.

The following rules, regulations and conditions shall be observed in connection with licensing and maintenance of open storage.

- (1) Licenses shall be approved by the township board of trustees. All licenses issued shall expire on the first day of March following the date of issuance and shall be reissued upon reapplication and satisfaction of the requirements, rules, regulations and conditions of this article, including approval of the township board of trustees.
- (2) The board of trustees shall approve the license if:
 - a. The land upon which open storage is contemplated is greater than two (2) acres in size; and
 - b. The applicant demonstrates that the proposed open storage will not annoy, injure or endanger the public safety, health, or general welfare.
- (3) The board may, in approving the license, impose such terms (including, but not limited to, the erection of a fence sufficient to conceal and isolate such storage from surrounding areas) as are reasonable under the circumstances and serve to promote the public safety, health and welfare.

(Ord. No. 250, § 4, 3-28-79)