

R E S O L U T I O N

At a meeting of the Township Board of Birch Run Township, Saginaw County, Michigan, held on the _____ day of January, A.D. 1956, at eight o'clock in the evening at the Birch Run Township Fire Station, in the Village of Birch Run, County of Saginaw and State of Michigan, and the following members being present:

EDWARD McNAMARA, Supervisor; OSCAR BLOCK, Clerk; HERBERT J. HAUBENSTRICKER, Treasurer; GORDON REED, Trustee; and CHILSON ROSS, Trustee; It was moved by Herbert J. Haubenstricker as follows:

"Be It Resolved, that the Township Board of Birch Run Township, Saginaw County, Michigan, pursuant to the provisions of Act No. 232 of the Public Acts of 1937, as amended, being M.S.A. 19.739(1), et seq., as amended, hereby declares its intention to proceed under the provisions of said act as amended, to provide for the licensing of used car lots, in order to best protect the general welfare and interests of the Township of Birch Run, Saginaw County, Michigan,

Section 1. No person, association, corporation, copartnership or firm shall hereafter own or operate or use a used car lot within the Township of Birch Run, Saginaw County, Michigan, without having first obtained from the Clerk of said Township, a license for a used car lot.

Section 2. Applicants for a used car lot license shall apply to the Township Clerk by a petition duly executed by applicant setting forth the exact legal description, including the dimensions of the proposed site, said petition shall set forth the name or names of the owners of said premises, the age and mailing address of applicant, a statement setting forth his previous experience, if any, in the operation of a used car lot and where and when he operated said used car lot or lots previously.

Section 3. The aforementioned petition shall have attached thereto a written statement or waiver of Sixty-five (65%) per cent of the freeholders residing in the Township within a one (1) mile radius of the proposed used car lot recommending that the license be granted.

Section 4. The application shall be immediately referred by the Township Clerk to the Township Supervisor, who shall cause an investigation to be made as to the suitability of the proposed location for used car lot purposes, bearing in mind the effect of township zoning ordinances then in operation and effect as to said location, as well as the fitness of the applicant as to character considering the nature and character of the used car business. The Supervisor shall make known the results of his investigation to the other members of the Township Board at the next meeting thereof at which time said Township Board shall grant a license to said applicant providing the site is proper and suitable and the applicant is fit as to character, and upon the payment of the license fee, which license shall be issued by the Township Clerk.

Section 5. The license fee shall be One Hundred (\$100.00) Dollars per annum, payable in advance, with the license expiring as of midnite December 31st of each year. The license shall be visably displayed at the business location.

Section 6. The maximum area of said used car lot shall be one-half (1/2) acre of land, which shall be properly drained.

Section 7. The term "used car lot" as used in this resolution shall be construed to mean any place where used motor vehicles are displayed and offered for sale in the open.

Section 8. The licensee shall, at least once each month, prepare and mail to the Commissioner of the Michigan State Police at East Lansing, Michigan, and the Secretary of State at Lansing, Michigan, a sworn statement of all purchases and sales made by the said licensee.

Section 9. Said license shall be subject to revocation by said Township 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 sixty-five (65%) per cent of the freeholders residing in said Township within a radius of one (1) mile from the place of said business petition said Township Board therefor.

Section 10. Any person, firm, association or corporation which shall operate a used car lot without a license, or shall violate any rule, regulation or condition, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided by the laws of this state.

Section 11. If any section of this resolution shall be declared unconstitutional the same shall not effect any of the other sections and shall not effect the validity of the resolution as a whole.

Section 12. Said resolution, and any rules, regulations and conditions enacted hereunder shall, within five (5) days after adoption, and before the same shall take effect, be published by posting the same in three (3) conspicuous places in the Township and an affidavit of said posting shall be filed in the office of the Township Clerk."

The motion was seconded by Chilson Ross. Adopted by the vote of five (5) in favor of adoption, and none (0) against the adoption.

Those in favor of adoption:

Oscar Block Clerk
Richard J. Huntington
Gordon Reed
Chilson Ross

Those opposed:

None (0)