

ORDINANCE NO. _____

AN ORDINANCE to amend Chapter 32, Article III of the Code of Ordinances to regulate the stopping, standing and parking of vehicles within the Township.

THE TOWNSHIP OF PARK, COUNTY OF OTTAWA AND STATE OF MICHIGAN, ORDAINS:

Section 1. Amendment to Chapter 32, Article III. Chapter 32, Article III of the Code of Ordinances, Township of Park, Ottawa County, is hereby amended to read in its entirety as follows.

ARTICLE III. STOPPING, STANDING AND PARKING*

***State law references:** Authority to regulate standing or parking of vehicles, MCL 257.606(1)(a); Stopping, standing or parking of vehicles, MCL 257.672 et seq.; Unlawful parking; loading and discharging of bus passengers, MCL 257.674 et seq; Parking violation notice and parking violations bureau, 257.742 et seq.; traffic control in shopping center parking lots, MCL 257.941 et seq.

Sec. 32-44. 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:

Authorized township official means a member of the Ottawa County Sheriff's Office including reserve officers, and / or any other personnel of the township authorized by ordinance or resolution to issue a parking violation notice, municipal civil infraction citations or municipal civil infraction notices.

Motor home means every motor vehicle designed, used or maintained primarily for occasional or short term occupancy as a dwelling unit during travel, recreational, or vacation use.

Motor vehicle means any device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks, which is self-propelled.

Park means standing a truck, school bus or motor home, whether occupied or not, upon the right-of-way of a highway, road or street when not lawfully loading or unloading or making necessary repairs.

Parking Violation Notice means a notice, other than a citation, directing a person to appear at the violations bureau in the township for which the notice is being issued and

pay the fine and costs, if any, prescribed by ordinance for the parking or standing of a motor vehicle in violation of the ordinance.

Parking violation bureau means a violations bureau established by the township to accept parking violation notice admissions and to collect and retain fines and cost as prescribed by ordinance.

School bus means every motor vehicle, except station wagons, with a manufacturers' rated seating capacity of eight or more children owned by a public, private or governmental agency and operated for the transportation of children to or from school, or privately owned and operated for compensation for the transportation of children to or from school.

Traffic control signal means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

Truck means every motor vehicle designed, used or maintained primarily for the transportation of property.

(Ord. of 5-3-1973, § 1)

Sec. 32-45. Issuance of parking violation notice.

An authorized township official may issue upon any vehicle or person who shall violate a provision of this article or shall fail to comply with any of the requirements thereof a parking violation notice.

- A. A parking violation notice may be attached to a motor vehicle in absence of a driver and the registered owner of the motor vehicle shall be considered responsible for the violation.
- B. A parking violation notice shall indicate the length of time a person must respond to the violation before the township violations bureau. It shall also indicate the address of the bureau and the amount of the penalty scheduled for the offense for which the parking violation notice was issued. The parking violation notice will also indicate that failure to pay or appear within the time limit indicated may result in issuance of a warrant for their arrest or suspension of their driver's license.
- C. Any parking violation notices not paid or responded to will result in a municipal civil infraction citation being issued and forwarded to the district court. A copy of the municipal civil infraction may be personally served or served by first class mail to the registered owner of the vehicle at the owners last known address. In addition a standardized letter will accompany the municipal civil infraction citation indicating that the violation has been forwarded to the district court and failure to respond within the time frame

indicated may result in a warrant for their arrest or suspension of their driver's license.

(Ord. of 5-3-1973, § 5; Ord. No. 95-9, § 1, 1-12-1995))

Sec. 32-46. No parking areas Residential Zones

No person shall park a truck which has a load capacity in excess of three quarters ton or which is a semitrailer truck tractor and/or its trailer, a school bus or a motor home in any part or portion of the right-of-way of any highway, road or street which abuts (on either side or both sides) lands or premises in the township zoned in a residential zone under the zoning regulations in chapter 38 except when necessary to avoid conflict with other traffic or in compliance with law or the direction of a police officer or traffic control signal. Anyone who violates this section is responsible for a municipal civil infraction.

(Ord. of 5-3-1973, § 2)

Sec. 32-47. General No Parking Areas.

1. A vehicle shall not be parked, except if necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic-control device, in any of the following places.
 - (a) On a sidewalk or bike path.
 - (b) In front of a public or private driveway.
 - (c) Within 15 feet of a fire hydrant.
 - (d) On a crosswalk.
 - (e) Within 20 feet of a crosswalk, or if there is not a crosswalk, then within 15 feet of the intersection of the property lines at an intersection of highways.
 - (f) Parking at a place where an official sign prohibits stopping or parking.
 - (g) Parking in a parking space clearly identified by an official sign as being reserved for use by disabled persons that is on public property or private property available for public use, unless the individual is a disabled person as described in the MCL 257.19a.
 - (h) Parking in an access aisle or access lane immediately adjacent to a space designated for parking by persons with disabilities.
 - (i) Parking in violation of an official sign restricting the period of time for or manner of parking.
 - (j) In a place or in a manner that blocks access to a space clearly designated as a fire lane.
2. A bus, for the purpose of taking on or discharging of passengers, may be stopped at a place described in subsection (1) (b), (c), or (e) or on the roadway side of a

vehicle illegally parked in a legally designated bus loading and unloading zone. A bus for the purpose of taking on or discharging a passenger, may be stopped at a place described in subsection (1)(f) if the place is posted by an appropriate bus stop sign.

Sec 32-48. Parking Violations Bureau

- a. The township hereby establishes a parking violations bureau as authorized under Act 236 of 1961 (MCL 600.8395) to accept the admissions of responsibility for parking violation notices in response to parking violation notices issued and served by authorized township officials, and to collect and retain civil fines and costs as prescribed by ordinance. The expenses of operating the bureau shall be borne by the township, and the personnel of the bureau shall be township employees.
- b. The parking violations bureau shall be located at the township hall, and shall be under the supervision and control of the township treasurer. The township treasurer, subject to the approval of the township board, shall adopt rules and regulations for the operation of the bureau and appoint any necessary qualified township employees to administer the bureau.
- c. No person shall be required to dispose of a parking violation notice at the bureau and may have the violation processed before a court of appropriate jurisdiction. The unwillingness of any person to dispose of any violation at the parking violations bureau shall not prejudice the person or in any way diminish the person's right, privileges and protection accorded by law. Nothing in this article shall prevent or restrict the township from issuing a municipal civil infraction citation for any violation or from prosecuting any violation in a court of competent jurisdiction.
- d. The scope of the bureau's authority shall be limited to accepting admissions of responsibility for parking violation notices and collecting and retaining civil fines and costs as a result of those admissions. The parking violations bureau shall not accept payment of a fine from any person who denies having committed the offense or who admits responsibility only with explanation, and in no event shall the bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to an alleged violation.

Sec 32-49 Schedule of fines

The following schedule of parking violations and fines is hereby established:

1. Violations of Sec. 32-47, 1 (a)(b)(c)(d)(e)(f)(i)(j) shall be a \$50.00 fine payable at the parking violations bureau within 15 days of issuance.

2. Violations of Sec 32-47, 1(g)(h) shall be a \$100.00 fine payable at the parking violations bureau within 15 days of issuance.

Secs. 32-50--32-64. Reserved.

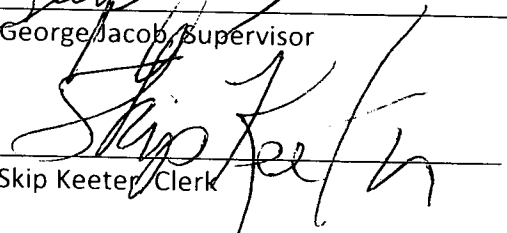
Section 2. Severability. This Ordinance and the various parts, sections, sentences, phrases and clauses are declared to be severable. If any portion of this Ordinance is adjudged unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining provisions of this Ordinance.

Section 3. Repeal. All resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are, to the extent of any such conflict, hereby repealed.

Section 4. Effective Date. This Ordinance was approved and adopted by the Township Board of Park Township, Ottawa County, Michigan, on March 8, 2012 and is ordered to take effect on April 30, 2012, said date being 30 days or more after publication in the *Holland Sentinel*, a newspaper having general circulation in the Township, pursuant to the provisions of Act 246 of the Public Acts of 1945, as amended.



George Jacob, Supervisor

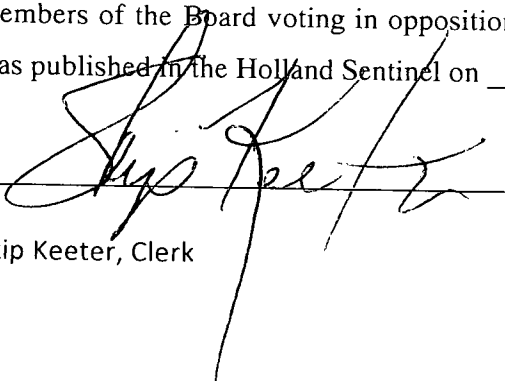


Skip Keeter, Clerk

CERTIFICATE

I, Skip Keeter, the Clerk for the Township of Park, Ottawa County, Michigan, certify that the foregoing Ordinance was adopted at a regular meeting of the Township Board held on March 8, 2012. The following members of the Township Board were present at that meeting: Jacob, Keeter, Steggerda, Dreyer, Hunsburger, Ellis, Toscano

_____. The following members of the Township Board were absent: (none). The Ordinance was adopted by the Township Board with members of the Board Jacob, Keeter, Steggerda, Dreyer, Hunsburger, Ellis, ^{Toscano} voting in favor, and no members of the Board voting in opposition. Notice of Adoption and Posting of the Ordinance was published in the Holland Sentinel on March 28, 2012.



Skip Keeter, Clerk