

ORDINANCE NO. 115

AN ORDINANCE ESTABLISHING A PARKING VIOLATION BUREAU FOR THE VILLAGE OF DECATUR,
MICHIGAN AND PRESCRIBING CIVIL FINES FOR PARKING VIOLATIONS.

THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:

SECTION 1: Pursuant to Section 8395 of the Revised Judicature Act of the State of Michigan, as amended, being MSA 27A.8395, a parking violations bureau, for the purpose of accepting civil infraction admissions of parking violations within the Village of Decatur, Michigan, is hereby established. The parking violations bureau shall be under the supervision and control of the Village Chief of Police.

SECTION 2: The Village Chief of Police shall, subject to the approval of the Village Council, establish a convenient location for the parking violations bureau, appoint qualified village employees to administer the bureau and adopt rules and regulations for the operation thereof.

SECTION 3: No violation not scheduled in section 6 of this ordinance shall be disposed of by the parking violations bureau. The fact that a particular violation is scheduled shall not entitle the alleged violator to disposition of the violation at the bureau and in any case the person in charge of such bureau may refuse to dispose of such violation in which case any person having knowledge of the facts may make a sworn complaint before any court having jurisdiction of the offense as provided by law.

SECTION 4: No violation may be settled at the parking violations bureau except at the specific request of the alleged violators. No civil fine for any violation shall be accepted from any person who denies having committed the offense and in no case shall the person who is in charge of the bureau determine, or attempt to determine the truth or falsity of any fact or matter relating to such alleged violation. No person shall be required to dispose of a parking violation at the parking violations bureau and all persons shall be entitled to have any such violation processed before a court having jurisdiction thereof if they so desire. The unwillingness of any person to dispose of any violation at the parking violations bureau shall not prejudice him/her or in any way diminish the rights, privileges and protection accorded to him/her by law.

SECTION 5: The issuance of a traffic ticket or parking violation notice by a police officer of the Village shall be deemed an allegation of a parking violation. Such traffic ticket or notice of violation shall indicate the length of time in which the person to whom the same was issued must respond before the parking violations bureau. It shall also indicate the address of the bureau, the hours during which the bureau is open, the amount of the civil fine scheduled for the offense for which the ticket was issued. A traffic citation shall issue to the owner of the vehicle if such a person fails to respond within the time limited.

SECTION 6: Civil fines for Uniform Traffic Code Parking Violations, heretofore adopted by the Village as Ordinance No. 42, are hereby established as follows, to-wit:

<u>OFFENSE</u>	<u>UTC</u>	<u>MOTOR</u>	<u>FINE</u>
	<u>SECTIONS</u>	<u>VEH CODE</u>	
Parking to far from curb	R 28.1801	257.675(1)	\$15.00
	R 28.1802	257.675(2)	\$15.00
Angle Parking Violations	R 28.1803	257.675(3)	\$15.00
Obstructing traffic	Rescinded	257.676(b)	\$25.00
Prohibited parking	Rescinded	257.674	
(a) On sidewalk:			\$25.00
(b) In front of a public or private driveway:			\$25.00
(c) Within an intersection:			\$50.00
(d) Within 15 feet of a fire hydrant:			\$25.00
(e) On a crosswalk:			\$25.00
(f) Within 20 feet of a crosswalk, or if none, then within 15 feet of the intersection of property lines at an intersection of streets:			\$25.00
(g) Within 30 feet upon the approach to any flashing beacon, stop sign, yield right-of-way sign, or traffic-control signal located at the side of a street:			\$25.00
(h) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings:			\$25.00
(i) Within 50 feet of the nearest rail of a railroad crossing			\$25.00
(j) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station, within 75 feet of said entrance when properly sign-posted:			\$50.00
(k) Along side or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic:			\$25.00
(l) On the street side of any vehicle stopped or parked at the edge or curb of a street:			\$25.00
(m) On any bridge or other elevated structure on a street or within a street tunnel:			\$25.00
(n) Within 200 feet of an accident at which police officers are in attendance:			\$50.00
(o) In front of any theater:			\$25.00
(p) In any place or in any manner so as to block immediate egress from any emergency exit or exits conspicuously marked as such on buildings;			\$50.00

<u>OFFENSE</u>	<u>UTC</u> <u>SECTIONS</u>	<u>MOTOR</u> <u>VEH CODE</u>	<u>FINE</u>
	Rescinded	257.674	
(q) In any place or in any manner so as to block or hamper the immediate use of an immediate egress from any fire escape conspicuously marked as such providing an emergency means of egress from any building:			\$50.00
(r) At any place where official signs prohibit Stopping standing or parking:			\$25.00
(s) In a parking space designated as handicapped parking, unless the person is a handicapper or the vehicle is parked for the benefit of a handicapper:			\$50.00
Violations for parking, Stopping or standing in an alley	R 28.1813		\$25.00
Parking for prohibited purpose - A person shall not park a vehicle on any street for the principal purpose of doing any of the following:	R 28.1814		
(a) Displaying such vehicle for sale:			\$25.00
(b) Washing, polishing, greasing, or repairing such vehicle, except repairs necessitated by an emergency:			\$25.00
(c) Displaying Advertising:			\$25.00
(d) Selling merchandise from such vehicle except in a duly established market place, or when so authorized or licensed under the ordinance of this governmental unit:			\$25.00
(e) Storage for more than 48 continuous hours:			\$25.00
Loading Zone Violation	Rescinded	257.674(u)	\$25.00
Bus, parking other than at bus stop	R 28.1819		\$25.00
Taxicab, parking other than at a cab stand	R 28.1819		\$25.00
Bus, taxicab stand violations	R 28.1820	257.674(u)	\$25.00
Leaving ignition key in unattended motor vehicle	R 28.1458	257.676	\$25.00
Failure to set brakes		257.676	\$25.00
Parked on grade, wheels not turned to curb		257.676	\$25.00
Bicycle parking violations	R 28.1617		\$15.00
	R 28.1617(a)		\$15.00

SECTION 7: In the event that civil fines for a parking violation are not paid within 72 hours from the time violation notice is issued, a traffic citation for a civil infraction shall be issued to the owner of the vehicle.

SECTION 8: Ordinances #67 and #70 are hereby repealed. Any other ordinances or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 9: This ordinance shall become effective the 2nd day of January, 1997.

Adopted by the Village Council of the Village of Decatur, Michigan on this 2nd, day of December, 1996.