

MUNISING ORDINANCE 1997-1

PARKING VIOLATIONS BUREAU AND PARKING

AMENDED

THE FOLLOWING SECTION HAS BEEN REPEALED:

Section 2.

Hours of Parking: Except as otherwise provided in Section 3, below, no person shall park any vehicle upon those portions of Superior Street or Elm Avenue shown on the attached map for more than one (1) hour between the hours of 8:00 a.m. and 6:00 p.m. The map that is attached to this ordinance, and hereby incorporated by reference, shall be updated, as necessary, by resolution of the City Commission.

I hereby certify that the foregoing Ordinance No. 1997-1 AMENDED was introduced on the 7th day of May, 1997, was adopted by the Commission of the City of Munising on the 19th day of May, 1997, was published in the Munising News on the 4th day of June, 1997, and became effective on the 24th day of June, 1997.

Approved: Carol J. Gatiss Elizabeth Ann Williams  
Carol J. Gatiss Elizabeth Ann Williams  
Mayor City Clerk

MUNISING ORDINANCE 1997-1

PARKING VIOLATIONS BUREAU AND PARKING

An Ordinance to repeal certain Ordinances Numbered 57 (Regulating the Operation and Parking of Motor vehicles), 65 (Congested Traffic Areas and Parking of vehicles), 118 (Congested Traffic Areas and Parking of Vehicles), 95 (Parking Violations Bureau), 1961-I (Snow Parking Ban), and 1988-6 (Seasonal Parking Ordinance), and to adopt a new Ordinance establishing a Parking Violations Bureau and regulating parking within the City of Munising; to provide penalties for the violation of this Ordinance, and to provide a mechanism for the enforcement of this Ordinance.

The City of Munising Ordains:

Section 1.

Creation of Municipal Parking Violations Bureau:  
Pursuant to MCLA 600.8395, a Parking Violations Bureau, for the purpose of handling alleged parking violations within the City, is hereby established. The Parking Violations Bureau shall be under the supervision and control of the City Clerk.

A. The City Clerk shall, subject to the approval of the City Commission, establish a convenient location for the Parking Violations Bureau, appoint qualified city employees to administer the Bureau, and adopt rules and regulations for the operation thereof.

B. The Bureau shall have the power to dispose only of those violations deemed to be civil infractions herein or in Ordinance No. 1985-1 (Uniform Traffic Code). The fact that a particular violation is deemed to be a civil infraction in either this Ordinance or Ordinance No. 1985-I 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.

C. No violation may be settled at the Parking Violations Bureau except at the specific request of the alleged violator. No penalty for any violation shall be accepted from any person who denies having committed the offense and in no case shall the person who is 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 or in any way diminish the right, privileges and protection accorded to him by law.

D. The issuance of a traffic ticket or notice of violation by a Police Officer of the City 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 penalty scheduled for the offense for which the ticket was issued, and advise that a warrant for the arrest of the person to whom the ticket was issued will be sought if such person fails to respond within the time limit.

E. The Parking Violations Bureau shall accept pleas of guilty and assess fines and costs for those civil infraction violations referred to above in the following manner:

a. For all parking civil infraction violations provided for herein and in Ordinance 1985-1, except violations provided for in Section 3, below, (winter parking ban), the fine shall be \$15.00;

b. For parking civil infraction violations under Section 3, below, (winter parking ban), the fines shall be as follows:

1. For a first offense in any winter season \$15.00;
2. For a second offense in any winter season \$25.00;
3. For a third or subsequent offense in any winter season \$40.00, plus,

in all cases, any cost to the City for removal and storage of said vehicle.

## Section 2.

Hours of Parking: Except as otherwise provided in Section 3, below, no person shall park any vehicle upon those portions of Superior Street or Elm Avenue shown on the attached map for more than one (1) hour between the hours of 8:00 a.m. and 6:00 p.m. The map that is attached to this

ordinance, and hereby incorporated by reference, shall be updated, as necessary, by resolution of the City Commission.

### Section 3.

Winter Parking Ban: From November 15th through April 15th of each year no vehicle shall be parked on any street between the hours of 3:00 am. and 6:00 a.m., inclusive, within the City limits.

A. Any vehicle parked in violation of this Section may be removed, or towed, at the time it is ticketed for the third consecutive time during one winter season, defined as November 15th of any given year through April 15th of the year following. Removal will be under the direction of the City Police to any garage, or an other place of storage in the City of Munising. The necessary costs of such removal and storage shall become a lien upon such vehicle, and the person or entity, including the City of Munising, into whose custody such vehicle is given may retain it until the expenses involved have been paid.

B. The City Police Department for the City of Munising shall maintain records of persons convicted of a violation of this section of the Ordinance for each winter season.

### Section 4.

Vehicle Length: No person shall park or allow to stand any vehicle having an overall length, including load, of more than 16 feet, upon Superior Street between Lynn Street and Maple Street or upon Elm Avenue between Superior Street and Munising Avenue; provided such vehicles may park or stand in said area for a period not in excess of one-half hour in order to accomplish loading or unloading.

### Section 5.

Parking on Right Side of Street: No person shall park any vehicle upon any of the streets of the City of Munising unless the same shall be upon the right side of said street according to the direction in which said vehicle is facing.

### Section 6.

Penalties: A person who violates this Ordinance shall be guilty of a civil infraction.

### Section 7.

Notice to be Published: The City Clerk shall publish this Ordinance in the manner required by law.

Section 8.

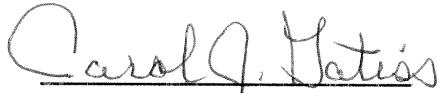
When Effective: This Ordinance shall be in effect in this governmental unit twenty (20) days after its publication.

Section 9.

Date Adopted: March 17, 1997.

I hereby certify that the foregoing Ordinance No. 1997-1 was introduced on the 5th day of March, 1997, was adopted by the Commission of the City of Munising on the 17th day of March, 1997, was published in the Munising News on the 19th day of March, 1997, and became effective on the 8th day of April, 1997.

Approved:



Carol J. Gatiss  
Mayor



Elizabeth Ann Williams  
City Clerk