

ORDINANCE NO. 35

AN ORDINANCE ESTABLISH A PARKING VIOLATIONS BUREAU FOR THE VILLAGE OF LAKEVIEW.

THE VILLAGE OF LAKEVIEW ORDAINS:

SECTION 1. Pursuant to Section 8395 of the Revised Judicature Act, State of Michigan, as added by Public Act 154 of 1968, a parking violations bureau, for the purpose of handling alleged parking violations within the Village, is hereby established. The parking violations bureau shall be under the supervision and control of the Village Clerk.

SECTION 2. The Village Clerk shall, subject to the approval of the Village Council, establish a convenient location for the parking violation 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 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 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 or in any way diminish the rights, privileges, and protection accorded to him by law.

SECTION 5. The issuance of a traffic ticket or notice of violation 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 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 limited.

SECTION 6. There is to be no parking on any Village street from 2AM-6AM. There is to be no parking for more than 72 hours in any Village free parking lot.

SECTION 7. The following is a schedule of offenses: The associated penalties will be set by Village Council Resolution.

UNIFORM TRAFFIC CODE VIOLATIONS

| <u>OFFENSE</u> | <u>UTC SECTION</u> | <u>PENALTY</u> |
|----------------|--------------------|----------------|
|----------------|--------------------|----------------|

| | | |
|---------------------------|------------|--|
| Parking too far from curb | (8.1, 8.2) | |
|---------------------------|------------|--|

- I. Within 20 feet of fire station entrance
- II. Beside street excavation when traffic obstructed
- III. Double parking
- IV. On bridge or viaduct
- V. Within 200 feet of accident where police in attendance
- VI. Blocking emergency exit
- VII. Blocking fire escape

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| In prohibited zone (signs required) | (8.10 r) | |
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| In alley | (8.13) | |
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| Parking for certain purposes prohibited | (8.14) | |
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- I. Displaying vehicle for sale
- II. Working or repairing vehicle
- III. Displaying advertising
- IV. Selling merchandise

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| Loading zone violation | (8.16, 8.17) | |
|------------------------|--------------|--|

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| Bus, parking other than bus stop | (8.19) | |
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| Taxicab, parking other than cab stand | (8.19) | |
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| Bus, taxicab violations | (8.20) | |
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| Meter violations | (8.21) | |
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| Not parked within marked space | (8.22) | |
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| Failure to set brakes | (5.58) | |
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| Parked on grade wheels not turned to curb | (5.58) |
| Bicycle parking violations | (6.17) |
| Abandoned vehicle (plus towing and storage charge) | (2.5) |

VILLAGE ORDINANCE VIOLATIONS

| <u>OFFENSE</u> | <u>UTC SECTION</u> | <u>PENALTY</u> |
|----------------|--------------------|----------------|
|----------------|--------------------|----------------|

All night parking in street

All night parking in street – vehicle removed by Police
(plus towing charge)

Parking more than 72 hours in free parking lot (plus
towing charge)

SECTION 8. All ordinances or parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 9. This ordinance shall become effective October 21, 1995.

Adopted by the Village Council of the Village of Lakeview this 11th day of September, 1995.

L. John Kehl, Village Clerk

Todd Lincoln, Village President