

ORDINANCE REGULATING PARKING UPON THE PUBLIC STREETS,
HIGHWAYS AND PARKING LOTS USED BY THE PUBLIC IN THE CITY OF AUGRES
AND REPEALING ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES
IN CONFLICT HEREWITH

The City Council of the City of AuGres hereby ordains as follows:

Section 1 - Definitions

The following words and phrases as hereafter defined and as herein enumerated when used in this ordinance shall for the purpose of this ordinance have the meanings respectively abscribed to them in this Chapter.

(a) Crosswalk - That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalk on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edge of the transversable street or highway.

Further, any portion of the highway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

(b) Handicapped Person - A person who, for the purpose of this ordinance, has a physical characteristic categorized as a handicap, which limits ambulation or necessitates the use of a wheelchair for mobility, or a person who is blind.

(c) Intersection - The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one and another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(d) Owner - Any person, firm, association, corporation who holds the legal title of a vehicle or who is renting a motor vehicle or having the exclusive use thereof under a lease or otherwise for a period of greater than thirty (30) days.

(e) Parking - Standing a vehicle whether occupied or not, upon a street or highway, when not loading or unloading except when making necessary repairs.

(f) Parking Area - any area used by the public as a means of access to and egress from, and for the free parking of motor vehicles by patrons of a shopping center, business, factory, hospital institution or other similar building or location.

(g) Shopping Center - A minimum area of three acres of land on which there is located one or more stores or business establishments where there is provided a parking area.

(h) Sidewalk - that portion of a street or highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(i) Street, Highway or Roadway - the entire width between boundary lines of every way publicly maintained and any part thereof is open to the use of the public for purpose of vehicular travel.

(j) Vehicle - every device in, upon, or by which any person or property is or may be transferred or drawn upon a street or highway excepting devices exclusively moved by human power.

Section 2 - No Parking Places

At any time it shall be unlawful to permit any vehicle to stand in any of the following places, except when necessary to avoid conflict with other traffic or compliance with the directions of a policeman or traffic control device.

1. In any intersection.
2. In a crosswalk.
3. Upon any bridge or the approach thereto.
4. Within thirty (30) feet of a traffic signal, beacon, or sign on the approaching side.
5. Within twenty (20) feet of any intersection or crosswalk.
6. At any place where the standing of a vehicle will reduce the useful width of the street or highway for moving traffic to less than eighteen feet.
7. Within fifteen feet of a fire hydrant.
8. At any place where the vehicle will block the use of a driveway, private or public.

9. Within twenty feet of the driveway entrance to any fire department station and on the side street of the street opposite to the entrance of any such station within 75 feet of such entrance when a proper sign is posted.

10. Any sidewalk.

11. At any place where official signs prohibit parking.

12. Parking spaces for physically handicapped persons.

For every twenty-five parking places in a parking area or shopping center in front of or adjacent to any public building in the City there shall be one space marked distinctly "Physically Handicapped Parking."

It shall be unlawful for any person without a Physically Handicapped Certificate or handicapped registration plates pursuant to Michigan Compiled Laws 257.803d to park in any space reserved for such handicapped persons.

Section 3 - Parking at Curb

No vehicle shall be parked with the left side of such vehicle not next to the curb, except one-way streets, and it shall be unlawful to stand or park any vehicle in a street other than parallel with the curb and with the two right wheels of the vehicle within twelve inches of the regularly established curb line, except that upon those streets that have been marked for angle parking vehicles shall be parked at an angle to the curb indicated by such a marking.

Section 4 - Vehicles for Sale

It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any business street from which vehicle merchandise of any kind is sold or peddled.

Section 5 - Loading Zone

It shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary

for the loading or unloading of passengers, not to exceed three minutes, and for the driver to stand any freight carrying vehicle for a period longer than is necessary to load, unload and deliver materials not to exceed thirty (30) minutes, in any place designated by the mayor or any other person authorized by the mayor as a loading zone and marked as such.

Section 6 - All Night Parking

No person, except the physician on an emergency call, shall park any vehicle on any street or highway for a period of time longer than thirty (30) minutes between the hours of 2:00 a.m. and 5:00 a.m. of any day.

Section 7 - Alleys

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such a position to block the driveway entrance to any abutting property.

Section 8 - Time Limit Parking

Except on Sundays or holidays, it shall be unlawful to park any vehicle for a longer consecutive period of time than that designated between the hours of 8:00 a.m. and 6:00 p.m. in an area designated as a limited parking area so marked.

Section 9 - Parking motor vehicles on private property

It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.

Section 10 - Signs

The chief of police or any other person authorized by the Mayor shall cause signs to be posted in those areas where parking is limited or prohibited indicating such limitations or prohibitions.

Section 11 - Parking prohibited in spaces designated for physically handicapped persons

It is unlawful for any person to park or leave standing any vehicle in a stall or space designated for physically handicapped persons if immediately adjacent to or invisible from such stall or

space there is posted a sign known as the international wheelchair symbol consisting of a profile view of a stylized wheelchair with occupant in white on a blue background unless the driver of the car is disabled or has a physically handicapped certificate or handicapped registration plates pursuant to Michigan Compiled Laws 257.803d.

(b) The provisions of a sub-division (a) herein shall apply to all off the street parking facilities owned or operated by the City or by any privately owned or operated parking lot.

Section 12 - Owner responsibility

(a) In a civil infraction action for the violation of this ordinance or state statute relating to the standing or parking of a motor vehicle proof that the particular vehicle described in the complaint was parked in violation of the ordinance of state statute, together with proof, by verifying ownership of the vehicle with the Secretary of State, that the Defendant named in the complaint was, at the time of the parking, a registered owner of the vehicle creates evidence a presumption that the registered owner of the vehicle was the person who parked or placed the vehicle at the point and where the time during which the violation occurred.

(b) For violations under paragraph (a) involving leased motor vehicles, proof that the particular vehicle described in the complaint or citation was used in the violation, together with proof that the defendant named in the citation or violation was the leasee of the vehicle at the time of the violation, constitutes evidence a presumption that the leasee of the vehicle, not the registered owner, was the person who parked or placed the vehicle at that point and for which time during which the violation occurred.

Section 13 - Penalty

Any person, firm or corporation violating any provisions of this ordinance shall be guilty of a civil infraction under Michigan Compiled Laws 257.943 and a separate offense shall be deemed committed on each date during or on which a violation occurs or continues.

This ordinance shall be effective thirty days after adoption.

This ordinance adopted this 6th day of May, 1982.

Dennis Ripon
Mayor

Dorothy Hill
City Clerk