

ORDINANCE NO. 2015- 03

CITY OF ALGONAC

COUNTY OF ST. CLAIR, MCHIGAN

AN ORDINANCE OF THE CITY OF ALGONAC, ST. CLAIR COUNTY, MICHIGAN TO AMEND CHAPTER 20 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" BY ADDING ARTICLE VII "WINTER PARKING."

THE CITYOF ALGONAC ORDAINS:

SECTION 1. AMENDMENT

CHAPTER 20 -- STREETS, SIDEWALKS AND OTHER PUBLIC PLACES is hereby amended to adopt **Article VII "Winter Parking"** to read as follows:

ARTICLE VII – WINTER PARKING

Sec. 20-301. SHORT TITLE.

This subchapter shall be known and may be cited as the City of Algonac Winter Parking Ordinance.

Sec. 20-302. DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

STREET, HIGHWAY, ROADWAY and ***IN PUBLIC RIGHTS-OF-WAY***. The entire width between boundary lines of every way publically maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

WINTER MONTHS. The period from December 1 through and including March 31.

Sec. 20-303. PARKING RESTRICTION; EXCEPTION WITH PERMIT.

No person shall park a motor vehicle on a street, highway, roadway or other public right-of-way under the jurisdiction of the city between the hours of 1:00 a.m. and 6:00 a.m. during the winter months.

Sec. 20-304. TRAFFIC CITATION TO BE AFFIXED ON VEHICLE PARKED OR LEFT IN VIOLATION OF SUBCHAPTER.

Whenever any motor vehicle without an operator is found parked or left in violation of any provision of this subchapter, and it is not removed and impounded as provided for in this subchapter the officer finding the vehicle shall take its registration number and

any other information displayed on the vehicle which may identify its user and shall conspicuously affix to the vehicle a traffic citation for the operator to answer to the charge at a time and in a place specified in the citation.

Sec. 20-305. EVIDENCE WITH RESPECT TO VEHICLES PARKED OR LEFT IN VIOLATION OF SUBCHAPTER.

In any prosecution with regard to a vehicle parked or left in a place or in a condition in violation of any provision of this subchapter, proof that the particular vehicle described in the complaint was parked or left in violation of a provision of this subchapter, together with proof that the defendant named in the complaint was at the time the registered owner of the vehicle, shall constitute prima facie evidence that the defendant was the person who parked or left the vehicle in violation of this subchapter.

Sec. 20-306. CIVIL INFRACTION; ENFORCEMENT.

A violation of this subchapter shall constitute a municipal civil infraction as defined in § 1-13.

Sec. 20-307. REMOVAL OF VEHICLES BY LAW ENFORCEMENT.

Whenever any motor vehicle without an operator is found parked or left in violation of any provision of this subchapter, City Law Enforcement may immediately remove the vehicle, or cause the vehicle to be removed, to a place of safekeeping at the expense of the registered owner of the vehicle.

Sec. 20-308. NO PARKING SIGNS TO BE POSTED.

There shall be posted at the entranceways to the city, in conformance with the *Michigan Manual of Uniform Traffic Control Devices*, which state: "No parking on any street, highway, roadway or right-of-way from 1:00 a.m. through 6:00 a.m., December 1st to March 31st."

SECTION 2. SEVERABILITY

This Ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH

Any and all Ordinances of the City of Algonac or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

SECTION 4. RATIFICATION

All other provisions of the code of Ordinances of the City of Algonac, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

SECTION 5. PUBLICATION

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the City of Algonac, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take immediate effect upon publication in accordance with the provisions and requirements of the City Charter of the City of Algonac.

ORDINANCE DECLARED ADOPTED.

Irene Bird, Mayor
City of Algonac, Michigan

CERTIFICATION

The foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Algonac, County of St. Clair, State of Michigan, at a regular meeting of the City Council held on the 20 day of January, 2015, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

Members Present: Bembas, Bird, Martin, Meldrum, Nugent, Thompson, Tuzinowski

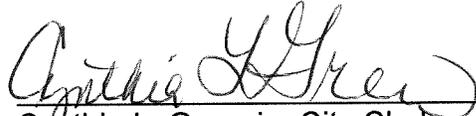
Members Absent: None

It was moved by Member Nugent and supported by Member Martin to adopt the Ordinance.

Members voting yes: Nugent, Martin, Bembas, Meldrum, Thompson, Tuzinowski, Bird

Members voting no: None

The Ordinance as declared adopted by the Mayor and has been recorded in the Ordinance book of the City of Algonac.


Cynthia L. Greenia, City Clerk
City of Algonac, Michigan

INTRODUCED: 1/6/2015
ADOPTED: 1/20/2015
PUBLISHED: 1/28/2015
EFFECTIVE: 1/30/2015