

CODIFIED ORDINANCES OF TRAVERSE CITY

PART FOUR - TRAFFIC CODE

- Chap. 410. Traffic Codes.
- Chap. 420. Bicycles and Coaster Toys.
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CHAPTER 410

Traffic Codes

410.01	Adoption by reference.	410.04	Amendments to Motor Vehicle Code
410.02	Definitions.	410.05	Applications to Northwestern Michigan
410.03	Amendments.to Uniform Traffic Code		College Property

CROSS REFERENCES

Traffic Violations Bureau - see CHTR. Sec. 69

Traffic rules and regulations in home rule cities - see MCL. Sec. 117.4h

Traffic rules and regulations generally - see MCL Secs. 257.601et seq., 257.634 et seq.

Uniform Traffic Code - see MCL Secs. 257.951 et seq.

Motor Vehicle Code - see MCL 257.1 to 257.923

Parking Violations Bureau - see TRAF. Ch. 488

Traffic citations - see TRAF. 488.05

410.01 ADOPTION BY REFERENCE.

- a) *Uniform Traffic Code.* The Uniform Traffic Code for Cities, Townships and Villages, sometimes hereinafter referred to in this Traffic Code as the Uniform Traffic Code, promulgated by the Director of State Police and published in the 1979 edition of the Michigan Administrative Code, and amendments as published in the 1981 and 2002 Annual Supplement to the Michigan Administrative Code, in accordance with Act 62 of the Public Acts of 1956, as amended (Administrative Rules R 28.1001 - 28.2075), except as hereafter may be amended or deleted, are hereby adopted by reference as if fully set forth herein, except as may be hereinafter amended or deleted.
- b) *Michigan Vehicle Code.* The Michigan Vehicle Code, 1949 PA 300; MCL 257.1 to 257.923, as amended, is adopted by reference as if fully set forth herein, except as may be amended or deleted. References in the Michigan Vehicle Code to local "authorities" shall mean the City of Traverse City. The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, however, that the City may not impose a penalty of imprisonment for greater than 93 days.
(Ord. 204. Passed 6-16-86. Ord. 580. Passed 10-21-02.)

410.02 DEFINITIONS.

References in the Uniform Traffic Code for Cities, Townships and Villages, as adopted in Section 410.01, to the following words and phrases shall have the following meanings:

- a) "Governmental unit" shall mean the City.
- b) "Traffic engineer" shall mean the City Manager or his or her designee.
(Ord. 338. Passed 9-21-92.)

410.03 AMENDMENTS TO UNIFORM TRAFFIC CODE.

The following sections and subsections of the Uniform Traffic Code for Cities, Townships and Villages, as adopted in Section 410.01, are hereby amended or deleted as set forth and additional

sections and subsections are added as indicated.

R 28.1001 Rule 1. (Amended) Words and phrases.

1. As used in this code:

(j) (Added) “Marked crosswalk” means any portion of a roadway distinctly indicated for pedestrian crossing by appropriate markings, signs, barriers, or other devices to give notice thereof.

(s) (Added) “Through or thru,” when prohibited, means a vehicle traveling a highway or street that does not have an origin, destination, or scheduled stop on that highway or street.

(a) Rule 159. Presumption of vehicle weight. (Added) A presumption of the minimum weight of a vehicle shall be established by evidence of the weight indicated on the Michigan registration certificate for the truck or other commercial vehicle in question.

(b) Rule 160. Authority of City Engineer; closing streets. (Added) Unless otherwise provided by law, the City Engineer is hereby authorized to close any highway, street, alley or other right-of-way or portion thereof which is under process of construction, improvement or repair, by placing traffic control devices in accordance with the Michigan Vehicle Code. A person who violates this section is responsible for a civil infraction.

(c) Rule 551 Boarding or alighting from vehicles. (Added) No person shall board or alight from any vehicle while such vehicle is in motion. A person who violates this section is responsible for a civil infraction.

(d) Rule 619. Lights and reflectors. (Added) No person shall operate a bicycle on any street, alley or public place from one-half hour after sunset to one-half hour before sunrise, unless the bicycle is equipped with lights and reflectors as required by the Motor Vehicle Code applicable to bicycles, and unless the same are operating. A person who violates this section is responsible for a civil infraction.

(e) Rule 631. Bicycle parking. (Added) No person shall park a bicycle in any street, alley or public place, except in a standing position, and no person shall park a bicycle on any sidewalk except in standards provided therefore. A person who violates this section is responsible for a civil infraction.

(f) Rule 702. Pedestrians; right-of-way in crosswalk; violation as a civil infraction.
(Amended)

1. When traffic-control signals are not in place or not in operation, the driver of a vehicle shall stop and yield the right-of-way to every pedestrian within a marked crosswalk.
2. When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to every pedestrian within an unmarked crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger
3. A pedestrian shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it would be impossible for the driver to stop and yield.
4. Every pedestrian crossing a roadway at any point other than within a marked or

unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

5. A person who violates this rule is responsible for a civil infraction.

(g) Rule 706. Pedestrians; yielding right-of-way; violation as a civil infraction. (Deleted).

(h) Rule 1076. Snowmobile operation. (Added) Unless otherwise permitted by State statute or the Uniform Traffic Code, no person shall operate a snowmobile in the City unless authorized by the Police Chief. A person who violates this section is responsible for a civil infraction.

(Ord. 204. Passed 6-16-86. Ord. 320. Passed 12-16-91. Ord. 366. Passed 7-6-93. Ord. 401. Passed 11-21-94. Ord. 597. Passed 3-17-03. Ord. 664. Passed 03-21-05. Ord. 924. Passed 10-3-11)

410.04 AMENDMENTS TO MOTOR VEHICLE CODE.

The following sections and subsections of the Michigan Vehicle Code, as adopted in Section 410.01, are hereby amended or deleted as set forth and additional sections and subsections are added as indicated.

(a) MCL 257.252d(1)(k) Impoundment and immobilization (Added). Subsection(1) (k) is added to read in its entirety as follows:

(k) If a vehicle is unattended and the registered owner of the vehicle has six (6) or more unpaid and outstanding civil infraction citations or parking violation notices, in any combination, all of which have been issued for a violation of the Michigan Motor Vehicle Code, as amended, or the Uniform Traffic Code, as amended. In lieu of or prior to impoundment under this subsection, any police officer or authorized City employee may attach or cause to be attached to said vehicle an immobilizing device which will prevent the vehicle from being moved or driven. If an immobilization device is attached, there shall also be attached securely to the vehicle a notice which states:

“CAUTION: THIS VEHICLE HAS BEEN MADE IMMOBILE BY A WHEEL-LOCKING DEVICE. SERIOUS DAMAGE TO THE VEHICLE WILL RESULT IF YOU ATTEMPT TO MOVE THE VEHICLE. RELEASE CAN BE OBTAINED BY:

- (1) Paying the outstanding civil infraction citations or parking violation notices, together with the fee established to cover the costs of attachment and removal of the locking device, or
- (2) Posting a bond to cover the above costs and requesting a hearing.

PAYMENT MUST BE MADE TO THE CITY TREASURER OR THE LARRY C. HARDY PARKING DECK DURING REGULAR BUSINESS HOURS; OR AT OTHER TIMES, TO THE TRAVERSE CITY POLICE DEPARTMENT. ARRANGEMENTS MUST BE MADE WITHIN 48 HOURS AFTER INSTALLATION OF THE DEVICE OR THE VEHICLE WILL BE REMOVED BY IMPOUNDMENT PURSUANT TO MCL 257.252d.

Whenever any police officer or authorized City employee shall issue or have issued an order to impound or immobilize a vehicle as provided herein, it shall thereafter be unlawful for any person to drive or otherwise remove said vehicle if he or she has knowledge of its impending

impoundment or immobilization.

MCL 257.252d (8) (Added) to read in its entirety as follows:

- (1) Any bond required for release of a vehicle impounded or immobilized pursuant to subsection (i) shall not exceed the sum of \$500.00.
- (b) MCL 257.252e. Abandoned Vehicle; jurisdiction of court. (Amended) Subsection A is amended to read in its entirety as follows: The following courts shall have jurisdiction to determine if a police agency has acted properly in processing a vehicle under section 252a, 252b(6) to (1), 252c, or 252d:
 - (1) The district court shall have jurisdiction to determine if a police agency has acted properly in processing a vehicle under sections 252a, 252b(6) to (10), 252c, or 252d.
 - (2) The court specified in the notice prescribed in section 242a(4)(c), 252b(6), 252c(4) or 252d(2)(c) shall be the court which has territorial jurisdiction at the location from where the vehicle was removed or deemed abandoned. Venue in the district court shall be governed by section 8312 of Act No. 236 of the Public Acts of 1961, as amended, being Sec. 600.8312 of the Michigan Compiled Laws.
 - (3) If the owner fails to pay the accrued towing and storage fees, the towing and storage bond posted with the court to secure the release of the vehicle under section 252a, 252b, 252c or 252d shall be used to pay the towing and storage fees.
- (c) MCL 257.661b. Riding position. (Added). This section is added to read in its entirety as follows: No person operating a bicycle shall ride other than upon or astride the permanent and regular seat attached thereto, or fail to hold the handlebar with at least one hand. A person who violates this section is responsible for a civil infraction.
- (d) MCL 257.674(1)(w) Prohibited parking; exceptions; violation as civil infraction. (Amended). Subsection (1) (w) is amended to read in its entirety as follows: In violation of an official sign restricting the period of time for manner of parking, including on any paved street between the hours of 3:00 a.m. and 6:00 a.m. of any day, except for undertakers, physicians and drivers of emergency vehicles while they are on emergency calls, and further subject to the following:
 - (i) From November 16 through the following April 14, vehicles found parked on any street or alley between the hours of 3:00 a.m. and 6:00 a.m. may be towed away at the owner's expense.
 - (ii) From April 15 through November 15, overnight parking between the hours of 3:00 a.m. and 6:00 a.m. is allowed on Saturday, Sunday and Monday mornings only on any street where parking is otherwise allowed, but excluding Bay Street during the National Cherry Festival, and the central business district which, for purposes of this section, is described as follows: Bounded by Grandview Parkway on the North; Union Street south to the River; Boardman River west, south and east back to Union Street; Union Street north to the alley south of State Street; alley east to Cass; Cass south to Washington, Washington east to Boardman; Boardman north to Front Street; Front Street east to Wellington; Wellington north to Grandview Parkway.
 - (iii) Parking may be allowed between the hours of 3:00 a.m. and 6:00 a.m. all year and at all times on paved streets by Permanent Traffic Control Orders for vehicles with valid overnight parking permits issued by the City provided that the vehicle is parked as permitted by the Permanent Traffic Control Order.
- (e) MCL 257.674(1)(aa) Prohibited parking; exceptions, violation as civil infraction.

(Added) Subsection (1)(aa) is added to read in its entirety as follows:

(aa) On any street, alley or public parkway without valid registration plates on the vehicle.

- (f) MCL 257.682(1) Stopping for school bus displaying flashing red lights; exception; violation as civil infraction; meeting stopped school bus on divided highway; evidence; community service. (Added) The following shall be added to subsection 1: No school bus driver shall activate the alternating flashing red lights while loading, discharging or waiting to load or discharge passengers at a school or any public street or place so designated by traffic control order.

(Ord. 597. Passed 3-15-03. Ord. 715. Passed 1-2-07. Ord. 752. Passed 6-4-07. Ord. 807 Passed 7-21-08. Ord. 836. Passed 6-15-09. Ord. 849. Passed 11-5-09.)

410.05 APPLICATION TO NORTHWESTERN MICHIGAN COLLEGE PROPERTY.

The Uniform Traffic Code for Cities, Townships and Villages, and the Michigan Vehicle Code, 1949 PA 300; MCL 257.1 to 257.923, as amended, as adopted in Section 410.01 and as amended Uniform Traffic Code 410.05 in Section 410.03, is hereby made applicable to the property of Northwestern Michigan College located in the City, more particularly described as College Drive between Munson Avenue and Front Street.

This extension of the Uniform Traffic Code and the Michigan Vehicle Code is done pursuant to MCL 257.961, as amended, authorizing the adoption of ordinances governing the operation, parking without fees and speed of motor vehicles upon the property of a community college district.

(Ord. 204. Passed 6-16-86. Ord. 595. Passed 3-17-03.)

CHAPTER 420

Bicycles and Coaster Toys

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| 420.01 | License required; display; fee. | 420.05 | Appearance tickets. |
| 420.02 | Term of license; renewals. | 420.06 | Penalty. |
| 420.03 | Transfer of license. | | |
| 420.04 | Bicycles and coaster toys prohibited in certain areas. | | |

CROSS REFERENCES

Bicycle paths - see TRAF. 410.03(UTC 4.21)
Bicycles generally - see TRAF. 410.03(UTC 6.28 et seq.)

420.01) LICENSE REQUIRED; DISPLAY; FEE.

No person shall ride or propel by muscular power any bicycle on any street, alley or public place, unless such bicycle has been licensed and unless the required license is attached so that it is clearly visible. A fee as determined from time to time by the City Commission shall be charged for each license issued or upon a change of ownership.

420.02) TERM OF LICENSE; RENEWALS.

Bicycle licenses shall be of the permanent type, undated and renewable only upon transfer to a new owner or when the license becomes unreadable. (1976 Code Sec. 25.062)

420.03) TRANSFER OF LICENSE.

Upon the sale or transfer of a licensed bicycle to another owner, a new license will be issued.

420.04 BICYCLES AND COASTER TOYS PROHIBITED IN CERTAIN AREAS.

The City Commission may, by resolution, prohibit the use of bicycles, coaster toys, skateboards, toy vehicles, roller skates, roller blades, in-line skates or other similar wheeled, self-propelled vehicles in certain areas. No person shall ride a bicycle, coaster toy, skateboard, toy vehicle, roller skates or roller blades, in-line skates or other similar wheeled, self-propelled device upon any public property or sidewalk where it is prohibited by resolution of the City Commission and so posted. A person who violates this section is responsible for a civil infraction. (Ord. 439. Passed 6-17-96.)

420.05 APPEARANCE TICKETS.

The Police Chief, the marina security officers and the appointed officers of the Police Department or such other officials as are designated by the City Manager are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (MCLA 764.9c(2); MSA 28.868(3)(2). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements. (Ord. 449. Passed 6-16-97.)

420.99 PENALTY.

BICYCLES AND COASTER TOYS

Whoever violates any of the provisions of this chapter is responsible for a civil infraction and shall be assessed a civil fine of not more than one hundred dollars (\$100.00).

CHAPTER 480

Parking Generally

480.01	Unattended vehicles; removal of ignition key.	480.99	Penalty.
480.02	Parking lots at Northwestern Michigan College.		

CROSS REFERENCES

Traffic rules and regulations in home rule cities - see MCLA Sec. 117.4h
Traffic rules and regulations generally - see MCLA Secs. 257.601, 257.634 et seq.
Parking generally - see M.C.L.A. Secs. 257.672 et seq.
Municipal violations in counties of 100,000 or more - see MCLA. Sec. 725.301
Parking meters - see TRAF. Ch. 484
Parking Violations Bureau - see TRAF. Ch. 488
Parking in parks - see S.U. & P.S. 1064.14
Off-street parking and loading - see ZONING Ch. 1374

480.01 UNATTENDED VEHICLES; REMOVAL OF IGNITION KEY.

- a) No person driving or in charge of a motor vehicle shall permit it to stand unattended in any public place, or on any used or new car lot, without first stopping the engine, locking the ignition and removing the ignition key from the vehicle.
- b) Whenever any police officer finds a motor vehicle standing unattended with the ignition key in the vehicle, such police officer may remove such key from such vehicle and deliver such key to the police officer in charge of the police station.
- c) The registered owner of a vehicle found in violation of this section shall be held responsible for such violation. (1976 Code Sec. 25.05)

480.02 PARKING LOTS AT NORTHWESTERN MICHIGAN COLLEGE.

- a) Pursuant to M.C.L.A. 257.961; M.S.A. 9.2660, as amended, this section is adopted for the purpose of governing parking by motor vehicles, without fees, upon the property of Northwestern Michigan College, located within the City, and located generally in the vicinity of the intersections of Front Street, Munson Avenue and College Drive.
- b) Parking on such property shall be permitted during certain times only if a valid parking sticker has been issued by the College to the motor vehicle in question, and only if such sticker is visibly displayed on the rear window of the automobile or on any other designated location of other motor vehicles. A parking lot may contain clearly designated visitor parking spaces where such stickers shall not be required.
- c) Parking shall be regulated pursuant to traffic control orders adopted in the same manner as traffic control orders under the Uniform Traffic Code for Cities, Townships and Villages. Such orders shall designate the parking area in question, the time of regulation and the regulations pertaining to such parking area. The control order shall also specify the signage necessary.
- d) The Parking Violations Bureau shall handle all violations of this section and traffic control orders issued hereunder.
- e) Parking violations may be alleged by the issuance of a traffic citation by a police officer, or by the issuance of a notice of violation by a police officer or specially designated

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parking enforcement officer authorized to issue such notices by directive of the City Manager. Such notice shall be called a parking ticket and 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 and the amount of the penalty scheduled for the offense for which the ticket was issued, and it shall advise that a complaint against the person to whom the ticket was issued will be sought if such person fails to respond within the time limit.

- f) The City Manager shall adopt an administrative policy for the enforcement of City parking ordinances and the method and degree of training which the parking enforcement personnel receive. (Ord. 364. Passed 6-21-93.)

480.03 PARKING ON PUBLIC PROPERTY.

- a) Parking prohibited: Unless otherwise allowed by the City Manager, no person shall park or place a vehicle, boat or any other object in any City parking lot for the principal purpose of displaying such vehicle, boat or object for sale, for storage or for advertising purposes.
- b) Enforcement; Penalty: The uniformed employees of the Traverse City Parking Services or police officers are authorized to issue notices of violations and dispose of violations of this section. The civil fine for a violation of this section is \$15 for each offense. A separate offense shall be deemed committed on each day during or on which a violation or noncompliance occurs or continues. The processing of violations and nonpayment of fines shall be handled pursuant to Chapter 488. (Ord. 562. Passed 5-20-02.)

480.99 PENALTY.

- a) Whoever violates any of the provisions of this chapter is responsible for a civil infraction and shall be assessed a civil fine of not more than one hundred dollars (\$100.00), provided, however, that the offense may be disposed of as provided in Section 488.06 if it is an offense listed as disposable under such section and if the civil fine is paid within the periods stipulated therein.

CHAPTER 482

Parking on Residential Lots

CROSS REFERENCE

Penalties – see section 202.99

482.01 PURPOSE.

The purpose of this Chapter is to protect the public health, safety and general welfare, to enhance the visual environment of the City, and to preserve residential neighborhoods. Ord. 756. Passed 7-2-07.)

482.02 DEFINITIONS.

For the purpose of this Chapter:

1. **Front lot line** means any lot line adjacent to a street.
2. **Front yard** means all land extending across the width of a property and lying between the building line and the front line on the street upon which the address has been assigned.
3. **Inoperable and Inoperative** means unable to operate for the normally intended use as the result of a mechanical, electrical, or other defect, malfunction or condition.
4. **Landscaped area** includes, but is not limited to, turf, unaltered soil, planting beds, planted trees, vines, groundcover, mulch, decorative stone or those areas typically so treated.
5. **Residential lot** means a lot with a building designed for or used exclusively for residential purposes and containing one or more dwelling units.
6. **Treelawn** means the area of public right-of-way lying between the curb line of a curbed street or developed travelway of a noncurbed street and the nearest private property line substantially parallel to said street.
7. **Unlicensed** means any motor vehicle, snowmobile, trailer or water craft which does not have a current state registration which is displayed by a license plate or other authorized means.
8. **Vehicle** means any self-propelled device intended for use on land.
9. **Rear Yard** means all land extending across the width of a property and lying between the principal building and the rear property line and is opposite the front yard. Ord. 756. Passed 7-2-07.)

482.03 PARKING IN A FRONT YARD OR TREELAWN.

- a) **Front yards.** No person shall park any vehicle, trailer or water craft in a landscaped area of a front yard of a residential lot.
- b) **Treelawn parking prohibited.** No person shall park a vehicle, trailer or water craft on the treelawn portion of the right-of-way (1) on a curbed street; or (2) on a non-curbed street unless permitted by sign. Ord. 756. Passed 7-2-07. Ord. 968. Passed 6-3-13)

482.04 REGISTERED OWNER PRESUMPTION.

Except for leased vehicles, in a proceeding for a violation of this Chapter, proof that the particular vehicle described in the citation, complaint, or warrant was parked in violation of this

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Chapter, together with proof from the Secretary of State that the respondent named in the citation was at the time of the violation the vehicle's registered owner, creates in evidence a presumption that the vehicle's registered owner was the person who parked the vehicle at the time that the violation occurred. (Ord. 756. Passed 7-2-07.)

482.05 VIOLATIONS.

A person who violates this chapter is responsible for a municipal civil infraction, subject to the penalties provided in Section 202.99. (Ord. 756. Passed 7-2-07.)

CHAPTER 484

Parking Meters

484.01	Establishment of zones.	484.05	Overtime parking; use of slugs; destruction of meters.
484.02	Installation and operation.	484.06	Use of revenues.
484.03	Lines and markings; manner of parking.	484.07	Collection from meters.
484.04	Time limits.	484.99	Penalty.

CROSS REFERENCES

Traffic rules and regulations in home rule cities - see M.C.L.A. Sec. 117.4h

Traffic rules and regulations generally - see M.C.L.A. Secs.257.601 et seq., 257.634 et seq.

Parking generally - see M.C.L.A. Secs. 257.672 et seq.; TRAF.410.03(UTC 8.10), Ch. 480

Uniform Traffic Code - see M.C.L.A. Secs. 257.951 et seq.;TRAF. Ch. 410

Municipal violations in counties of 100,000 or more - see M.C.L.A. Sec. 725.301

Abandoned motor vehicles - see TRAF. 410.03(UTC 2.5a et seq.)

Parking Violations Bureau - see TRAF. Ch. 488

484.01 ESTABLISHMENT OF ZONES.

Zones to be known as parking meter zones may be established by traffic control orders issued as provided in the Uniform Traffic Code for Cities, Townships and Villages, as adopted in Section 410.01, on any street or City operated off-street parking area. (1976 Code Sec. 25.041; Ord. 40. Passed 11-21-77.)

484.02 INSTALLATION AND OPERATION.

- a) Single space parking meters installed in parking meter zones shall be placed adjacent to each parking space. Each parking meter shall display by a signal that the parking space adjacent thereto is or is not legally in use. Each parking meter shall indicate by a proper legend the currency to be deposited and the time limitations for each payment method deposited. Virtual account payments may reflect date and paid duration in the account without visible reflection on the meter. Upon the expiration of the time limit, for payments made at the meter rather than by virtual account, the parking meter shall indicate by a signal that the lawful parking period has expired. In the case of the expired meter, the right of the motor vehicle to occupy such a space shall cease and the driver, possessor or person having control thereof shall be subject to the penalties provided in Section 484.99. (1976 Code Sec. 25.042; Ord. 40. Passed 11-21-77. Ord. 1011. Passed 1-5-15)
- b) Multi-space (pay station) parking meters installed centrally within streets or surface lots. Each parking space shall be identified by a stall number. Each parking meter shall indicate by proper legend the currency or accepted credit card types to be deposited and the time limitations for each payment method deposited. Virtual account payments will reflect date and paid duration in the account. Upon the expiration of the time limit for payments made at the meter, the printed receipt will indicate that the lawful parking period has expired. In the case of the expired meter, the right of the motor vehicle to

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occupy such a space shall cease and the driver, possessor or person having control thereof shall be subject to the penalties provided in Section 484.99. (Ord. 1011. Passed 1-5-15)

484.03 LINES AND MARKINGS; MANNER OF PARKING.

The City Manager is hereby authorized to install single-space and multi-space parking meters in spaces and to have lines or markings painted upon the curb, street or lot surface controlled by each parking space for which the meter is to be used. No person shall park any vehicle upon or across any such line or marking. The vehicle, insofar as possible, shall be centered within the designated parking space. The City Manager is hereby authorized to install numbered stall signs or stall numbers painted within the parking space to designate the stall number of the space. (1976 Code Sec. 25.043; Ord. 40. Passed 11-21-77. Ord. 1011. Passed 1-5-15)

484.04 PARKING METERS.

- a) Meter activation required. Except for fully-electric vehicles which are not required to activate the parking meter, whenever a vehicle is parked within a designated parking meter space, the operator of the vehicle shall activate the meter by depositing in the meter a United States currency of a denomination indicated on the parking meter legend, or using a credit card type accepted by the parking meter, or by activating the meter through the virtual account and if the meter is a manual type by turning or pressing the lever, handle, crank or other device provided upon such meter. Thereupon such parking space may be lawfully occupied by such vehicle during the period of parking time indicated on such meter, printed receipt or virtual paid duration. The parking meters must be activated from 8:00 a.m. until 6:00 p.m., Monday through Saturday except holidays and except such other times or circumstances as designated by the City Manager.
- b) Overtime parking. Except for a Mobile Food Vendor with a valid license issued under these codified ordinances. No person shall leave any vehicle in any metered parking space when the meters must be activated for longer than the time indicated on the parking meter, printed receipt or virtual paid duration. Fully-electric vehicles shall not remain in any metered parking space for a period of time longer than legal parking time established for the parking space. No person shall make any form of payment for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space or stall number. It shall be a separate offense to park at a metered space or stall for each period of time equal to the maximum allowed on the meter.
- c) Civil infraction. A person who violates this section is responsible for a civil infraction subject to the fine indicated in Section 488.06. (1976 Code Sec. 25.044; Ord. 40. Passed 11-21-77; Ord. 109. Passed 6-2-80. Ord. 477. Passed 7-6-99. Ord. 543. Passed 10-1-01. Ord. 751. Passed 5-21-07. Ord. 696. Passed 6-3-13. Ord. 1011. Passed 1-5-14)

484.05 PARKING METER DAMAGE.

No person shall:

- a) Deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for a United States currency; or
- b) Remove, deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter.
- c) A person who violates section is guilty of a misdemeanor.

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(1976 Code Sec. 25.045. Ord. 40. Passed 11-21-77. Ord. 478. Passed 7-6-99. Ord. 1011. Passed 1-5-15)

484.06 USE OF REVENUES.

All revenues derived from the use of parking meters as provided in this chapter shall be used to provide for the proper regulation and control of traffic on the streets, to cover the costs of developing and purchasing or leasing parking facilities, and to cover the costs of supervision, inspection, installation, operation, maintenance, control and use of the parking spaces, lots and meters. (1976 Code Sec. 25.046; Ord. 40. Passed 11-21-77.)

484.07 COLLECTION FROM METERS.

Collections of money deposited in parking meters shall be made as provided by direction of the City Treasurer. (1976 Code Sec. 25.046; Ord. 40. Passed 11-21-77.)

484.99 PENALTY.

- a) Whoever violates any of the provisions of this chapter, for which no penalty is otherwise provided, is responsible for a civil infraction and shall be assessed a civil fine of not more than one hundred dollars (\$100.00), provided, however, that the offense may be disposed of as provided in Section 488.06 if it is an offense listed as disposable under such section and if the civil fine is paid within the periods stipulated therein.
- b) Whoever violates Section 484.05 is guilty of a misdemeanor and should be subject to the penalty provided in Section 202.99 of the Administration Code.

PARKING METERS

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CHAPTER 488

Parking Violations Bureau

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| 488.01 | Establishment; supervision by City Treasurer. | 488.04 | Rights of alleged violators. |
| 488.02 | Office; administration by City Treasurer. | 488.05 | Traffic citations; notices of violations. |
| 488.03 | Authority re disposition of violations. | 488.06 | Schedule of civil fines. |

CROSS REFERENCES

Traffic rules and regulations in home rule cities - see MCL Sec. 117.4h
Traffic rules and regulations generally - see MCL Secs. 257.601 et seq., 257.634 et seq.
Parking tickets - see MCL 257.675d
Parking generally - see MCL. Secs. 257.672 et seq.
Uniform Traffic Code - see MCL Secs. 257.951 et seq.; TRAF. Ch. 410
Motor Vehicle Code - see MCL 257.1, Secs 257.1 to 257.923; TRAF. Ch. 410
Parking of bicycles - see TRAF. 410.03(UTC 6.31)
Parking generally - see TRAF. 410.03(UTC 8.10)
Parking meters - see TRAF. Ch. 484
Parking in parks - see S.U. & P.S. 1064.14

488.04) ESTABLISHMENT; SUPERVISION BY CITY TREASURER.

Pursuant to Section 8395 of the Revised Judicature Act, as added by Act 154 of the Public Acts of 1968, as amended (M.C.L.A. 600.8395), there is hereby established in and for the City a Parking Violations Bureau for the purpose of handling alleged parking violations in the City. The Bureau shall be under the supervision and control of the City Treasurer. (1976 Code Sec. 25.10)

488.05) OFFICE; ADMINISTRATION BY CITY TREASURER; OPERATION BY TRAVERSE CITY DOWNTOWN DEVELOPMENT AUTHORITY.

The Parking Violations Bureau shall be located at the Governmental Center and the Larry C. Hardy Parking Deck. The City Treasurer shall administer the Parking Violations Bureau. The Traverse City Downtown Development Authority shall operate the Parking Violations Bureau. (1976 Code Sec. 25.101. Ord. 715. Passed 1-2-07.)

488.06) AUTHORITY RE DISPOSITION OF VIOLATIONS.

No violation that is not scheduled in Section 488.06 shall be disposed of by the Parking Violations Bureau. The fact that a violation is scheduled shall not entitle the alleged violator to disposition of the violation at the Bureau. In any case, the person in charge of the 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. (1976 Code Sec. 25.103)

488.07) RIGHTS OF ALLEGED VIOLATORS.

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. In no case shall the person who denies having committed the offense or 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 Bureau. Any person shall be entitled to have such violation processed before a court having jurisdiction thereof if he or she so desires. The unwillingness of any person to dispose of any violation at the Bureau shall not prejudice him or her or in any way diminish the rights, privileges and protection accorded to him or her by law. (1976 Code Sec. 25.104)

488.08) TRAFFIC CITATIONS; NOTICES OF VIOLATIONS.

The issuance of a traffic citation by a police officer of the City, or the issuance of a notice of violation by a police officer of the City, or a qualified person other than a police officer duly authorized to issue such a notice by ordinance or directive of the City Manager, shall be deemed an allegation of a parking violation. Such traffic citation 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 and the amount of the penalty scheduled for the offense for which the ticket was issued, and it shall 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.(1976 Code Sec. 25.105; Ord. 5. Passed 10-4-76. Ord. 659. Passed 12-20-04.)

488.06) SCHEDULE OF CIVIL FINES.

The Parking Violations Bureau or a police officer may issue notices of violations and dispose of the following offenses and civil fines. Violations shall be considered civil infractions.

<u>Offense</u>	<u>Civil Fine</u>
(1) Direction of parking and along curb	\$15.00
(2) Angle parking	15.00
(3) Obstructing traffic	15.00
(4) On sidewalk	15.00
(5) In front of driveway	15.00
(6) Within an intersection	15.00
(7) Within 15 feet of fire hydrant	15.00
(8) On a crosswalk	15.00
(9) Too close to intersection or crosswalk	15.00
(10) Too close to traffic control device	15.00
(11) Too close to safety zone	15.00
(12) Too close to railroad crossing	15.00
(13) Too close to fire station	15.00
(14) Next to obstruction	15.00
(15) Double parking	15.00
(16) On bridge or in tunnel	15.00

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(17)	Too close to accident	15.00
(18)	In front of theater	15.00
(19)	Blocking emergency exit	15.00
(20)	Blocking fire escape	15.00
(21)	Where prohibited by sign	40.00
	A. If paid within 30-60 days of violation	60.00
	B. If paid after 60 days of violation	80.00
(22)	Handicapped parking	100.00
(23)	Overnight during winter	15.00
(24)	Overnight on paved street	15.00
(25)	Overnight Parking on Bay Street during National Cherry Festival	
	A. First Violation within a one-year period	100.00
	B. Second Violation within a one-year period	125.00
	C. Third Violation within a one-year period	150.00
	D. Fourth and subsequent violations within a one-year period	175.00
(26)	Past time limit on sign	
	A. If paid within 15 days of violation	10.00
	B. If paid within 16 to 30 days of violation	20.00
	C. If paid within 30 days of violation	30.00
(27)	In alleys	15.00
(28)	For a prohibited purpose	15.00
	A. Sale	
	B. Washing or repair	
	C. Advertising	
	Selling merchandise	
	E. Storage for over 48 hours	
(29)	On one-way street	15.00
(30)	Too long in passenger loading zone	15.00
(31)	In freight loading zone	15.00
(32)	In bus or taxicab area	15.00
(33)	Meter violation - first violation	
	A. If paid within 15 days of violation	10.00
	B. If paid between 16 to 30 days of violation	20.00
	C. If paid after 30 days of violation	30.00
(34)	Parking beyond time allowed on meter (Codified Ordinances Sec. 484.04)	
	A. If paid within 15 days of violation	10.00
	B. If paid within 16 to 30 days of violation	20.00
	C. If paid after 30 days of violation	30.00
(35)	Parking beyond time allowed on meter - for each additional violation at the same meter on the same day (Codified Ordinances Sec. 484.04(b))	15.00
(36)	Improper parking	15.00
(37)	Parking without a permit or failure to display permit	
	A. If paid within 15 days of violation	10.00

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B. If paid within 16 to 30 days of violation	20.00
C. If paid after 30 days of violation	30.00
(38) Parking beyond time allowed on meter - 7 or more violations within a one-year period (Codified Ordinances Section 484.04)	75.00

(References to other sections in this schedule are for convenience only, and changes to those referenced provisions shall not affect the validity of this schedule.) Response to the citation must be made by requesting a court appearance within 15 calendar days of the date of issue of the citation or by payment of the citation. In addition, the Parking Violations Bureau may have citations issued for those violations and transfer these matters to the District Court. The District Court shall then establish the civil fine for the offense, up to the maximum allowed by law. The Bureau may extend these time limits in its discretion. At the discretion of the City Treasurer, parking violations not paid within ninety days after the issuance of the notice of violation may be transferred to a collection agency and administrative cost may be added.

(Ord. 363. Passed 6-7-93. Ord. 369. Passed 8-16-93. Ord. 382. Passed 4-18-94. Ord. 479. Passed 7-6-99. Ord. 598. 3-17-03. Ord. 754. Passed 6-4-07. Ord. 891. Passed 11-15-10. Ord. 927. Passed 11-7-11 Ord. 930. Passed 12-19-11 Ord. 935. Passed 3-19-11)