

TITLE VII: TRAFFIC CODE

Chapter

70. GENERAL PROVISIONS

71. PARKING VIOLATIONS BUREAU

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CHAPTER 70: GENERAL PROVISIONS

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§ 70.01 CODE ADOPTED.

(A) The Michigan Vehicle Code MCL 257.1 to MCL 257.923, is adopted by reference for enforcement by the City of Big Rapids as a local ordinance, as authorized by MCL 117.3(k), for the purpose of enacting and enforcing the provisions of the Michigan Vehicle Code within the City.

(B) Section 257.625(1)(c) of the Michigan Vehicle Code is adopted by reference for enforcement by the City of Big Rapids as a local ordinance, as authorized by MCL 117.3(k) and MCL 117.4(k) for which the violation is punishable by 1 or more of the following:

- (1) Community service for not more than 360 hours.
- (2) Imprisonment for not more than 180 days.
- (3) A fine of not less than \$200 or more than \$700.
(Ord. 464-3-00, passed 3-6-00; Am. Ord. 647-5-12, passed 5-21-12)

§ 70.02 REFERENCES IN CODE.

(A) References in the Michigan Vehicle Code to local authorities shall mean the City of Big Rapids as the local authority enforcing the Michigan Vehicle Code within the City.

(B) Citations to the Michigan Vehicle Code as adopted by the City shall be prefaced with a "C" to identify the local ordinance.
(Ord. 464-3-00, passed 3-6-00)

§ 70.03 COPIES TO BE AVAILABLE.

(A) Printed copies of the Michigan Vehicle Code shall be kept in the office of the City Clerk and shall be available for inspection and distribution to the public.

(B) The City Clerk is directed to publish this ordinance in the *Pioneer*, with notice to the public that a complete copy of the Michigan Vehicle Code is made available to the public at the office of the City Clerk in compliance with state law requiring that records of public bodies be made available to the general public.

(Ord. 464-3-00, passed 3-6-00)

§ 70.04 CHANGES IN CODE.

(A) The following sections and subsections of the Uniform Traffic Code for Cities, Townships and Villages are hereby amended or deleted as set forth and additional sections and subsections are added as indicated. Subsequent section numbers used in this title shall refer to the like numbered sections of the Uniform Traffic Code.

(B) *Penalty.* Wherever the divisions of this section provide a criminal penalty in violation of the Uniform Traffic Code or the Vehicle Code, Act 300 of the Public Acts of 1949, as amended, this title is amended to change said criminal penalty to a civil infraction with fines or enforcement powers provided by the Uniform Traffic Code or the State Vehicle Code.

(C) Sec. 2.59. Section added to read:

Sec. 2.59. *Current Regulations.* All intersection stops and yield right of way requirements, regulations on stopping, standing or parking; one-way streets, roadways and alleys; crosswalks; restricted turns; through streets; play streets; angle parking zones; all-night parking restrictions; curb loading zones; public carrier stands; parking meter zones and spaces; weight restrictions; no passing zones; speed limits and traffic control devices heretofore established and effective on the effective

date of this Code shall be deemed established hereunder and shall remain effective until rescinded or modified as herein provided.

(D) Section 5.62a is amended to read as follows, and sections 5.62b, 5.62c, 5.62d, and 5.62e are added as new sections:

5.62a

(1) A person whose operator's or chauffeur's license or registration certificate has been suspended or revoked and who has been notified as provided by law of that suspension or revocation, whose application for license has been denied, or who has never applied for a license shall not operate a motor vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of motor vehicles, within this city.

(2) A person shall not knowingly permit a motor vehicle owned by the person to be operated upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, within this city by a person whose license or registration certificate is suspended or revoked, whose application for license has been denied, or who has never applied for a license, except as permitted under this section.

(3) Except as otherwise provided in this section, a person who violates subsection (1) or (2) is guilty of a misdemeanor punishable as follows: For a first violation, by imprisonment for not more than 93 days or a fine of not more than \$500, or both. Unless the vehicle was stolen or used with the permission of a person who did not knowingly permit an unlicensed driver to operate the vehicle, the registration plates of the vehicle shall be canceled by the Secretary of State upon notification by a peace officer.

(4) Before a person is arraigned before a district court magistrate or judge on a charge of violating this section, the arresting officer shall obtain the person's driving record from the Secretary of State and shall furnish the record to the court. The driving record of the person may be obtained from the Secretary of State's computer information network.

(5) This section does not apply to a person who operates a vehicle solely for the purpose of protecting human life or property if the life or property is endangered and summoning prompt aid is essential.

(6) A person whose vehicle group designation is suspended or revoked and who has been notified as provided by law of that suspension or revocation, or whose application for a vehicle group designation has been denied as provided in this act, or who has never applied for a vehicle group designation and who operates a commercial motor vehicle within this state, except as permitted under this act, while any of those conditions exists is guilty of a misdemeanor punishable, except as otherwise provided in this section, by imprisonment for not less than three days or more than 93 days or a fine of not more than \$100, or both.

(7) If a person has a second or subsequent suspension or revocation under this section within seven years as indicated on the person's Michigan driving record, the court shall proceed as provided in section 257.904d.

(8) For purposes of this section, a person who never applied for a license includes a person who applied for a license, was denied, and never applied again.

5.62b

(1) When a person is convicted of an offense punishable under section 5.62a for operating a motor vehicle while his or her license to operate a motor vehicle is suspended, revoked, or denied, the court shall order the motor vehicle, if it is owned in whole or in part or leased by that person, impounded for not less than a period the court orders but not more than 120 days from the date of judgment.

(2) An order for the impounding of a motor vehicle issued pursuant to this section is valid throughout the state. Any peace officer may execute the impoundment order. The order shall include the implied consent of the owner of the vehicle to the storage for insurance coverage purposes.

(3) The owner of a motor vehicle impounded pursuant to this section is liable for expenses incurred in the removal and storage of the vehicle whether or not the vehicle is returned to him or her. The vehicle shall be returned to the owner only if the owner pays the expenses for removal and storage. If redemption is not made or the vehicle is not returned as provided in this section within 30 days after the time set in the impoundment order for return of the vehicle, the vehicle shall be considered an abandoned vehicle and disposed of as provided by law.

(4) This section does not affect the rights of a conditional vendor, chattel mortgagee, or lessor of a motor vehicle registered in the name of another person as owner who becomes subject to this act.

5.62c

(1) When a peace officer detains the driver of a motor vehicle for a violation of a law of this state or local ordinance for which vehicle immobilization is required, the peace officer shall do all of the following;

(a) Immediately confiscate the vehicle's registration plate and destroy it.

(b) Issue a temporary vehicle registration plate for the vehicle in the same form prescribed by the Secretary of State for temporary registration plates issued according to law.

(c) Place the temporary vehicle registration plate on the vehicle in the manner required by the Secretary of State.

(d) Notify the Secretary of State through the law enforcement information network in a form prescribed by the Secretary of State that the registration plate was confiscated and destroyed, and a temporary plate was issued.

(2) A temporary vehicle registration plate issued under this section is valid until the charges against the person are dismissed, the person pleads guilty or nolo contendere to those charges, or the person is found guilty of or is acquitted of those charges.

5.62d

(1) For a violation of section 5.15(1) or (3) the court may order vehicle immobilization for not more than 180 days. For a second violation of 5.15(1) or (3) in any combination arising out of separate incidents, the court shall order vehicle immobilization for not less than 24 days or more than 180 days. For a third or subsequent violation in any combination arising out of separate incidents, the court shall order vehicle immobilization for not less than six months or more than three years.

(2) The defendant shall provide to the court the vehicle identification number and registration plate number of the vehicle involved in the violation.

(3) The court shall not order vehicle immobilization under this section if the defendant is not the owner or lessee of the vehicle operated during the violation unless the owner or lessee knowingly permitted the vehicle to be operated in violation of section 5.15 or section 5.62a regardless of whether a conviction resulted.

(4) An order required to be issued under this section shall not be suspended.

(5) If a defendant is ordered imprisoned for the violation for which immobilization is ordered, the period of immobilization shall begin at the end of the period of imprisonment.

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5.62e

(1) A court shall order a vehicle immobilized by the use of any available technology approved by the court that locks the ignition, wheels, or steering of the vehicle or otherwise prevents any person from operating the vehicle or that prevents the defendant from operating the vehicle. If a vehicle is immobilized under this section, the court may order the vehicle stored at a location and a manner considered appropriate by the court. The court may order the person convicted of violating section 5.15 or a suspension, revocation, or denial under section 5.62a to pay the cost of immobilizing and storing the vehicle.

(2) A vehicle subject to immobilization under this section may be sold during the period of immobilization, but shall not be sold to a person who is exempt from paying a use tax under section 3(3)(a) of the use tax act, 1937 PA 94, MCL 205.93 without a court order.

(3) A defendant who is prohibited from operating a motor vehicle by vehicle immobilization shall not purchase, lease, or otherwise obtain a motor vehicle during the immobilization period.

(4) A person shall not remove, tamper with, or bypass or attempt to remove, tamper with, or bypass a device that he or she knows or has reason to know has been installed on a vehicle by court order for vehicle immobilization or operate or attempt to operate a vehicle that he or she knows or has reason to know has been ordered immobilized.

(5) A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100, or both.

(6) To the extent that a local ordinance regarding the storage or removal of vehicles conflicts with an order of immobilization issued by the court, the local ordinance is preempted.

(7) If a peace officer stops a vehicle that is being operated in violation of an immobilization order, the vehicle shall be impounded pending an order of a court of competent jurisdiction.

(8) The court shall require the defendant or a person who provides immobilization services to the court under this section to certify that a vehicle ordered immobilized by the court is immobilized as required. (Ord. 454-9-99, passed 9-20-99)

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(E) Sec. 5.90(b) Section added to read:

Sec. 5.90(b). *Parking Lots, Unnecessary Noise, Loitering.* No person on the premises of a drive-in restaurant or public parking lot in the City shall race the motor of any motor vehicle, needlessly bring to a sudden start or stop any motor vehicle, blow any horn, or make or cause to be made any other loud or unseemly noise, or disturbance whereby the quiet and good order of the premises of said drive-in restaurant or public parking lot is disturbed. It shall be unlawful for any number of persons to congregate for any time whatsoever at any location on the premises of a drive-in restaurant or a public parking lot other than in the restaurant building or in a legally parked motor vehicle. Any persons so congregating shall be deemed guilty of loitering and shall be punished as prescribed in § 10.99.

(F) Sec. 8.21. Section amended to read as follows:

Sec. 8.21(a). *Parking Meter Zone Areas.* The City Commission is authorized to designate by Traffic Control Order the street or streets or parts thereof or areas within any public parking lot or lots which are to be included within the "Parking Meter Zone Area." Any area so designated shall become subject to the provisions of this section upon the installation and placing in operation of parking meters in such area.

(a) The City Commission shall by Traffic Control Order establish fees for the parking of any vehicle in a metered parking zone. Parking meters will be used and enforced from 9 a.m. to 5 p.m. except on Sundays and legal holidays or as otherwise indicated on said parking meters. Such fees as thus established shall be posted on signs in the Parking Meter Zone Area so as to give notice thereof to the general public.

(b) No person shall deface, tamper with, open, break or impair the usefulness of any parking meter, standard or sign.

(c) No person shall deposit or cause to be

deposited in any parking meter any slug, device or metallic substance as a substitute for a coin of the United States.

(d) If a person parks in violation of a parking meter longer than one hour, the person is subject to a parking meter violation for each hour of said violation.

(Ord. 178-2-83, passed 2-7-83)

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Sec. 8.21(b). *Parking Meters, Markings; Extending Time Prohibited.* In every parking meter zone of the City, each parking meter shall be installed and set to display upon the deposit therein of the proper coin, or coins, of the United States as indicated by the instruction on the meter, a signal indicating legal parking or standing for that period of time conforming to the limit of parking time which has been established for that area or zone of the street upon which the parking meter is installed, and shall continue to operate from the time of the deposit of such coin therein until the expiration of the time fixed as the parking limit for the part of the street upon which the meter is placed. Each meter shall also be so regulated that upon the expiration of the legal parking time it will display a signal indicating that the lawful parking period has expired. No person shall deposit any additional coin for the purpose of extending the parking or standing time of any vehicle beyond the legal parking or standing time which has been established for the parking space.

Sec. 8.21(c). *Parking Meters; Coins Required; Regulations.* Whenever any vehicle shall be parked or shall be stood in any space alongside of or next to which a parking meter is located, the operator of the vehicle, upon entering the parking space, shall immediately deposit or cause to be deposited a coin or coins of United States currency as indicated on the parking meter for the desired parking time, in such parking meter and shall place in operation the meter, and the parking space then may be lawfully occupied by the vehicle during the period of parking or

standing time which has been prescribed for the part of the street on which the parking space is located. If the vehicle shall remain parked or shall remain standing in any parking space beyond the parking or standing time limit fixed for each parking space, the parking meter shall display a sign or signal showing illegal parking or standing, and in that event such vehicle shall be considered as parked overtime and beyond the period of legal parking or standing time, and the parking or standing of a vehicle where any meter is located shall be a violation of this section and punishable as herein set forth. Any person placing a vehicle in a parking meter space, which meter indicates that unused time has been left thereon by the previous occupant of that space, shall not be required to deposit a coin for the use of the unused time, and after the expiration of the said unused time it shall be lawful to permit this same vehicle to occupy such space or for any person to deposit any coin to extend the parking time to the legal parking time.

Sec. 8.21(d). *Parking Space, Markings; Parking Regulations.* The Chief of Police is directed to mark off individual parking spaces adjacent to each parking meter by placing lines upon the street or curb adjacent to such parking meter for the purpose of designating the space for which the meter is to be used. It shall be unlawful to park any vehicle in such manner that the said vehicle shall not be entirely within the limits of the space so designated. Whenever angle parking is permitted, it shall be unlawful for any person to park any vehicle in any space by backing into such space and the vehicle shall be parked so that the front thereof faces the meter.

Any damage caused to the parking meter shall be assessed against the owner and driver of the vehicle and they shall be liable for same, jointly and severally.

Sec. 8.21(e). *Unlawful Parking.* It shall be unlawful for any person to cause, allow, permit or suffer any vehicle to stand or to be parked overtime beyond the period of legal parking or standing time established for any parking meter zone as herein described.

Sec. 8.21(f). *Extending Parking Time Prohibited.* It shall be unlawful for any person to deposit or cause to be deposited in a parking meter additional coins of United States currency for the purpose of increasing or extending the parking or standing time of any vehicle beyond the legal parking or standing time which has been established for the parking space adjacent to which said parking meter is placed.

(G) Sections 8.25, 8.26 and 8.27. Sections added to read as follows:

Sec. 8.25. *Overtime Parking.* Whenever official signs have been erected upon any street or public parking lot indicating that parking is limited for a definite period of time, no person shall park any vehicle on said street or public parking lot for a longer time than designated on any such sign, and such vehicle may be impounded by the police. This regulation does not apply on Sunday or legal holidays unless so designated on the sign.

Sec. 8.26. *All Night Winter Parking.* In order to permit the City to properly remove all snow and ice from all public ways during the winter months in the most expedient manner, no person shall park a vehicle on any street in the City from November 15

to and including March 15, between the hours of 2:00 a.m. and 6:00 a.m. Vehicles parked in violation of this ordinance may be ticketed and/or impounded by the Police.

(Am. Ord. 488-12-01, passed 12-3-01; Am. Ord. 673-03-14, passed 3-3-14)

Sec. 8.27. *Angle Parking; Method.* It shall be unlawful for any person to angle park any motor vehicle in an unmetered space on any street or in any parking lot with the back of the vehicle closer to the curb or the edge of the roadway than the front of the vehicle is to the curb or edge of the roadway.

(Am. Ord. 356-6-94, passed 6-6-94)

(H) Sec. 8.28. Section added to read as follows:

Sec. 8.28. *Parking on Private Property Prohibited.* No person shall park a vehicle on any private property in the City except when directed by a Police Officer or traffic control device without the express or implied consent, authorization, or ratification of the owner, holder, occupant, lessee, or trustee of the private property. Complaint for violation of this section shall be made by the owner, holder, occupant, lessee, trustee of such property, or the agent of any person in control of such private property.

Vehicles parked in violation of this section shall receive a citation from the Police Department, and if the vehicle is not removed within 48 hours, the vehicle shall be towed, impounded, and stored on premises designated by the Police Department at the vehicle owner's expense. The fine for the violation shall be \$10, and the owner of the vehicle shall pay the towing fee plus \$5 per day storage fee for each day the vehicle is impounded before the vehicle shall be released to the owner. If the vehicle owner desires to contest the parking citation in court, he shall deposit \$35 with the Police Department before the vehicle shall be released from the impoundment. If the vehicle owner successfully contests the parking citations, he shall be refunded his \$35 deposit. If he is not successful, the \$35 shall be applied to the fine, towing charge, and impoundment fee.

(Ord. 144, passed 10-16-78; Am. Ord. 156-9-79, passed 9-17-79; Am. Ord. 165-6-81, passed 6-1-81; Am. Ord. No. 167-12-81, passed 12-21-81; Am. Ord. 178-2-83, passed 2-7-83; Am. Ord. 211-1-86, passed 1-6-86; Am. Ord. 356-6-94, passed 6-6-94)

(I) 8.29. *Parking prohibited on certain streets.* Parking on the following streets and alleys between the hours of 2:00 a.m. and 6:00 a.m. is prohibited, and any vehicles parked there may be impounded by or at the direction of the Department Of Public Safety:

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- (a) S. Warren Avenue between Maple Street and Elm Street;
- (b) N. Warren Avenue between Maple Street and Pine Street;
- (c) S. Michigan Avenue between Maple Street and Linden Street;
- (d) N. Michigan Avenue between Maple Street and Pine Street;
- (e) Elm Street between Stewart and S. State Street;
- (f) Maple Street between Warren Avenue and State Street;
- (g) Pine Street between N. Warren Avenue and N. State Street;
- (h) West side alley parallel to S. Michigan Avenue between Maple Street and Elm Street; and
- (i) West side alley parallel to N. Michigan Avenue between Maple Street and Pine Street.

(Ord. 291-9-90, passed 9-17-90)
(‘88 Code, Title X, Ch. 126, § 10.4)

(J) 8.30. *Parking prohibited on front yard not designated and approved for parking.* No person shall park a motor vehicle on a front yard not designated and approved for parking. The front yard shall be defined as the area of private property that is located between the public right-of-way and the front line of the primary structure on the property. Parking of any motor vehicle within this area shall be prohibited. Exception: Vehicles may be parked in a driveway which extends from a public street to an area located outside the front yard.

(Ord. 461-1-00, passed 1-18-00)

(K) 8.31. *Parking on Lawn Extension.* No person shall drive upon, park or stand any vehicle between the curb or curb line and the lot line nearest the street, said area being commonly known as the lawn extension, whether or not any sidewalk or curb is actually in place on such street. This provision shall not be construed as prohibiting parking on a driveway apron.

(Ord. 416-1-00, passed 1-18-00)

(L) 8.32 *Parking on an area without an approved curb cut.* No person shall park a motor vehicle on any area which is not accessible by an approved curb cut and drive apron. This location shall be defined as any area which does not have access by way of a curb cut or drive apron to a public street. Exception: Vehicles may be parked on driveways and on defined parking areas on curbless streets.
(Ord. 461-1-00, passed 1-18-00)

§ 70.05 ADOPTION OF ADDITIONAL TRAFFIC CODE PROVISIONS.

The City of Big Rapids adopts sections 5.33, 5.34, 5.48, 5.49, 5.69, 5.90(a), 8.6, 8.10(1)(n), of the Uniform Traffic Code, with all violations being civil infractions, and renumbers the sections to be consistent with Chapter 70 of the Big Rapids City Code.

(A) 70.05(1). *Obedience to no-turn sign.* When authorized signs are erected indicating that right, left, or U-turns are not permitted, a driver of a vehicle shall not disobey the directions of any such sign.

(B) 70.05(2). *Limitations on turning around.* The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction on any street in a business district and shall not, on any other street, so turn a vehicle unless such movement can be made in safety and without interfering with other traffic.

(C) 70.05(3). *Driving on sidewalk prohibited.* The driver of a vehicle shall not drive on or within any sidewalk area, except at a driveway.

(D) 70.05(4). *Limitations on backing.*

(1) The driver of a vehicle shall not back the vehicle unless the movement can be made with reasonable safety and without interfering with other traffic.

(2) A vehicle shall not be backed a distance of more than 60 feet.

(3) A vehicle shall not be backed into an intersection; except that a vehicle may be backed into an intersection when it is not otherwise possible to turn about and when such movement can be made safely without interfering with other traffic.

(E) *70.05(5). License plates required.* A person shall not park on the streets of this governmental unit any vehicle which is required to be registered, unless the vehicle bears valid registration plates issued for it.

(F) *70.05(6). Operation of vehicle with unnecessary noise prohibited.* A person shall not operate a motor vehicle with unnecessary noise and shall not start, move, or turn a motor vehicle or apply the brakes or the power on a motor vehicle or in any manner operate the vehicle so as to cause the tires to squeal or the tires or vehicle to make any noise not usually connected with the operation of the motor vehicle, except in case of an emergency.

(G) *70.05(7). Vehicle starting from parked position.* A vehicle starting from a parked position shall yield to moving vehicles the right-of-way, and the operator of such vehicle shall give a timely and visible warning signal before so starting.

(H) *70.05(8). Stopping, standing, or parking vehicles.* A person shall not stop, stand, or park a vehicle within 200 feet of an accident at which police officers are in attendance, except when necessary to avoid conflict with other traffic or to comply with the law or the directions of a police officer or traffic control device.

(I) *70.05(9). Penalty; civil infraction.* Any person who violates section 70.05(1), 70.05(2), 70.05(3), 70.05(4), 70.05(5), 70.05(6), 70.05(7), or 70.05(8) shall be responsible for a civil infraction.

(Ord. 477-04-01, passed 4-9-01)

CHAPTER 71: PARKING VIOLATIONS BUREAU

Section

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| 71.01 | Bureau established |
| 71.02 | Location |
| 71.03 | Disposition of violations |
| 71.04 | Procedure |
| 71.05 | Violation ticket |
| 71.06 | Schedule of violations |

§ 71.01 BUREAU ESTABLISHED.

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 City, is hereby established. The Parking Violations Bureau shall be under the supervision and control of the Chief of Police.
(’88 Code, Title X, Ch. 127, § 10.21)

§ 71.02 LOCATION.

The Chief of Police 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.
(’88 Code, Title X, Ch. 127, § 10.22)

§ 71.03 DISPOSITION OF VIOLATIONS.

No violation not scheduled in § 71.06 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 the court having jurisdiction of the offense as provided by law.
(’88 Code, Title X, Ch. 127, § 10.3)

§ 71.04 PROCEDURE.

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.
(’88 Code, Title X, Ch. 127, § 10.4)

§ 71.05 VIOLATION TICKET.

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 a person fails to respond within the time limited.
(’88 Code, Title X, Ch. 127, § 10.5)

§ 71.06 SCHEDULE OF VIOLATIONS.

(A) *Schedule of violations.*

| Violations | Penalty |
|---|----------------|
| Parking too far from curb | \$ 15 |
| Angle parking violations | 15 |
| Obstructing traffic | 15 |
| Prohibited parking (signs unnecessary): | |
| On front yard not designated and approved for parking | 25 |
| On lawn extension | 15 |
| On an area without an approved curb cut | 15 |
| On sidewalk | 15 |
| On street, 2:00 a.m. - 6:00 a.m. from November 15 to March 15 | 15 |
| In front of drive | 15 |
| Within intersection | 15 |
| Within 15 feet of hydrant | 15 |
| On crosswalk | 15 |
| Within 20 feet of cross walk or within 15 feet of corner lot lines | 15 |
| Within 30 feet of street side traffic sign or signal | 15 |
| Within 50 feet of railroad crossing | 15 |
| Within 20 feet of fire station entrance | 15 |
| Within 75 feet of fire station entrance on opposite side of street (signs required) | 15 |
| Beside street excavation when traffic obstructed | 15 |
| Double parking | 15 |
| On bridge of viaduct or within tunnel | 15 |
| Within 200 feet of accident where police in attendance | 15 |
| In front of theater | 15 |
| Blocking emergency exit | 15 |
| On private property | 25 |
| In prohibited zone (sign required) | 15 |
| In alley | 15 |
| Parking in violation of two or three hour time restrictions | 15 |
| Parking for prohibited purpose: | |
| Displaying vehicle for sale | 15 |
| Working on or repairing vehicle | 15 |
| Displaying advertising | 15 |
| Selling merchandise | 15 |
| Storage over 48 hours | 15 |
| Wrong side boulevard roadway | 15 |
| Loading zone violation | 15 |
| Bus, parking other than at bus stop | 15 |
| Taxicab, parking other than at cab stand | 15 |
| Bus, taxicab stand violations | 15 |
| Meters, not parked within space | 15 |
| Failure to set brakes | 15 |

| Violations | Penalty |
|--|----------------|
| Parked on grade, wheels not turned to curb | 15 |
| Parked in a designated handicapped zone | 100 |
| Parked in front yard area not improved or designated for parking | 25 |
| Failure to display a windshield placard when parked in a designated handicapped parking space | 15 |
| An additional \$10 shall be added to all violations not paid within 48 hours, excluding Sundays and legal holidays; and after 30 days an additional \$20 shall be added to all violations, and after 90 days an additional \$20 shall be added to all violations | |

| Violations | Penalty |
|---|----------------|
| Bicycle parking violation | \$ 3 |
| Meter violations | *5 |
| Storage on impounded vehicles (per day) | 5 |

*If paid within 48 hours - \$ 3

(B) The Building Inspector, Zoning Administrator, and Code Enforcement Officer of the Department of Neighborhood Services staff shall be authorized to issue tickets for the following violations:

- (1) Parking prohibited on front yard not designated and approved for parking;
- (2) Parking on lawn extension; and
- (3) Parking on an area without an approved curb cut.
(’88 Code, Title X, Ch. 127, § 10.26) (Ord. 231-4-87, passed 8-20-87; Am. Ord. 357-6-94, passed 6-6-94; Am. Ord. 460-1-00, passed 1-18-00; Am. Ord. 472-10-00, passed 11-16-00; Am. Ord. 516-6-03, passed 6-2-03; Am. Ord. 544-05-05, passed 5-2-05; Am. Ord. 565-04-06, passed 4-17-06; Am. Ord. 579-04-07, passed 4-2-07; Am. Ord. 676-07-14, passed 7-7-14)

CHAPTER 72: BICYCLES, SKATEBOARDS AND TOY VEHICLES

Section

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identified in the Zoning Ordinance, except that the use of in-line skates or roller skates is permitted within this area between the hours of 6:00 p.m. and 11:00 p.m. EST. The Zoning Map depicting the district shall be available for inspection in the office of the City Clerk.

(B) This section does not regulate the use of wheelchairs or similar devices designed to transport or assist handicapped persons.

(C) No person shall use any skateboard, roller skates, coaster, scooter or similar wheeled device on any bench, table, planter, wall or other fixture located in or along any public roadway, street, alley, sidewalk, parking lot or other area open to the general public.

(D) No person shall use any skateboard, roller skates, coaster, scooter or similar wheeled device on any public roadway, street, alley, sidewalk, parking lot or other area open to the general public in a manner that hinders, impedes or otherwise interferes with the passage of pedestrians on all public roadways, streets, alleys, sidewalks and parking lots.

(E) No person shall use any vehicle, motorcycle or bicycle to tow another person or any skateboard, roller skates, coaster, scooter or similar wheeled device.
(Ord. 290-7-90, passed 7-16-90; Am. Ord. 421-6-97, passed 6-16-97) Penalty, see § 72.99

GENERAL PROVISIONS

§ 72.01 SKATEBOARDS, ROLLER SKATES, AND THE LIKE.

(A) The use of any skateboard, roller skates, coaster, or other similar wheeled device is prohibited on any sidewalk, public parking area, roadway, alley, street, or other area open to the general public in the Central Business District, C-2 zoning district, as

BICYCLES

§ 72.15 DRIVER REGULATIONS APPLICABLE.

Every person riding a bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under Chapter 70, except as to those provisions which by their nature can have no application. **BICYCLE** shall have the meaning prescribed in the Uniform Traffic Code adopted in § 70.01. ('88 Code, Title X, Ch. 128, § 10.51)

§ 72.16 RESPONSIBILITY OF PARENTS.

No parent of any child, nor guardian of any ward, shall authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

('88 Code, Title X, Ch. 128, § 10.52)

§ 72.17 LICENSE REQUIRED.

No person, who resides within this City, shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles, unless such bicycle has been licensed and a license plate is attached thereto as provided herein.

('88 Code, Title X, Ch. 128, § 10.53)

§ 72.18 LICENSE APPLICATION.

Application for a bicycle license and license decal shall be made upon a form provided by the City and shall be made to the Chief of Police. An annual license fee of \$.25 shall be paid to the City before each license shall be granted. All bicycle licenses shall be renewed during the month of June of each year and any person who has not renewed his bicycle license on or before July first of each year shall be in violation hereof if the bicycle is used on any street or upon any public path set aside for the exclusive use of bicycles.

('88 Code, Title X, Ch. 128, § 10.54)

§ 72.19 ISSUANCE OF LICENSE.

(A) The Chief of Police shall not issue a license for any bicycle when he knows or has reasonable ground to believe that the applicant is not the owner of, or entitled to the possession of, such bicycle.

(B) The Chief of Police shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, and the number on the frame of the bicycle for which issued, and a record of all license fees collected by him.

('88 Code, Title X, Ch. 128, § 10.55)

§ 72.20 LICENSE DECAL.

(A) The Chief of Police upon issuing a bicycle license shall also issue a license decal bearing the license number assigned to the bicycle and the name

of the City.

(B) The Chief of Police shall cause such license decal to be firmly attached to the rear mudguard or frame of the bicycle for which issued in such position as to be plainly visible from the rear.

(C) No person shall remove a license decal from a bicycle except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in the City.

('88 Code, Title X, Ch. 128, § 10.56)

§ 72.21 INSPECTION OF BICYCLES.

The Chief of Police, or an officer assigned such responsibility, shall inspect each bicycle before licensing the same and shall refuse a license for any bicycle which he determines is in unsafe mechanical condition.

('88 Code, Title X, Ch. 128, § 10.57)

§ 72.22 TRANSFER OF OWNERSHIP.

Upon the sale or other transfer of ownership of a licensed bicycle, the licensee shall remove the license decal and shall either surrender the same to the Chief of Police or may, upon proper application but without payment of additional fee, have the decal assigned to the transferee or to another bicycle owned by the applicant.

('88 Code, Title X, Ch. 128, § 10.58)

§ 72.23 RENTAL AGENCIES.

A rental agency shall not rent or offer any bicycle for rent, unless the bicycle is licensed and a license decal is attached thereto as provided herein and such bicycle is equipped with the lamps and other equipment required in this chapter.

('88 Code, Title X, Ch. 128, § 10.59)

§ 72.24 BICYCLE DEALERS.

Each person engaged in the business of buying or selling new or second-hand bicycles shall make a report to the Chief of Police of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or

make, the frame number thereof, and the number of license decal, if any, found thereon.
(‘88 Code, Title X, Ch. 128, § 10.60)

§ 72.25 OBEDIENCE TO TRAFFIC CONTROL DEVICES.

(A) Each person, operating a bicycle shall obey the instructions of official traffic control signals, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.

(B) Whenever authorized signs are erected indicating that no right or left or “U” turn is permitted, no person, operating a bicycle, shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians,
(‘88 Code, Title X, Ch. 128, § 10.61)

§ 72.26 RIDING ON BICYCLES.

(A) No person, propelling a bicycle, shall ride other than astride a permanent and regular seat attached thereto.

(B) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
(‘88 Code, Title X, Ch. 128, § 10.62)

§ 72.27 RIDING ON ROADWAYS AND BICYCLE PATHS.

(A) Each person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(B) No person, riding a bicycle upon a street or highway shall ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.

(C) Whenever a usable path for bicycles has been provided adjacent to a street or highway, bicycle

riders shall use such path and shall not use the street or highway.
(‘88 Code, Title X, Ch. 128, § 10.63)

§ 72.28 SPEED.

(A) No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(B) If any person riding a bicycle on any street or sidewalk under such conditions as may interfere with the safety of such person or any pedestrian, or any other vehicle, then the operator of the bicycle shall dismount and walk through such district or area.
(‘88 Code, Title X, Ch. 128, § 10.64)

§ 72.29 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle, emerging from an alley, driveway, or building, shall, upon approaching a sidewalk or the sidewalk area extending across any alley-way, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.
(‘88 Code, Title X, Ch. 128, § 10.65)

§ 72.30 CLINGING TO VEHICLES.

No person, operating a bicycle, shall attach the same or himself to any vehicle upon a roadway.
(‘88 Code, Title X, Ch. 128, § 10.66)

§ 72.31 CARRYING ARTICLES.

No person, operating a bicycle, shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handle bars.
(‘88 Code, Title X, Ch. 128, § 10.67)

§ 72.32 PARKING.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.
(‘88 Code, Title X, Ch. 128, § 10.68)

§ 72.33 RIDING ON SIDEWALKS.

(A) Whenever any person is riding a bicycle upon a sidewalk such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(B) No person shall ride any bicycle on the sidewalk or street of Parkview Drive in Parkview Village in the City, and shall dismount before entering Parkview Village.

(C) No person shall ride any bicycle on the sidewalk on Maple Street from Warren Avenue to the alley west of Michigan Avenue and on Michigan Avenue from Elm Street to the north line of the first crosswalk north of Maple Street.

(D) No person shall ride any bicycle on the walkway of the Maple Street Bridge or the Baldwin Street Bridge.
(‘88 Code, Title X, Ch. 128, § 10.69) (Am. Ord. 171-5-82, passed 5-17-82)

§ 72.34 EQUIPMENT; LIGHTS.

(A) Each bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(B) No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

(C) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.
(‘88 Code, Title X, Ch. 128, § 10.70)

§ 72.35 RULES.

The City Manager is hereby authorized to promulgate such rules and regulations as he may deem necessary for the enforcement of this chapter.
(‘88 Code, Title X, Ch. 128, § 10.71)

§ 72.36 VIOLATIONS — JUVENILES UNDER 16.

(A) In all cases where juveniles under 16 are charged with a first offense for the violation of this chapter the officer shall issue a violation ticket to the juvenile which shall require that the juvenile obtain the signature of his parent or guardian on said violation ticket and return the same to the Police Department within 48 hours after issuance.

(B) In the event of failure to return such violation ticket signed as hereinbefore required, the officer or any person having knowledge of the offense may proceed against the juvenile for such violation in the manner prescribed by law.
(‘88 Code, Title X, Ch. 128, § 10.72)

§ 72.99 PENALTY.

Any person who violates any skateboard, roller skate, or bicycle regulation in Title VII, Chapter 72, shall be responsible for a municipal civil infraction and shall be penalized as provided in § 10.97, except that the fine shall not be more than \$50, plus the impounding of the skateboard, roller skates, coaster, scooter, or similar wheeled device by the Department of Public Safety for not more than 60 days.
(Ord. 290-7-90, passed 7-16-90; Am. Ord. 427-10-97, passed 10-6-97)