

## **Chapter 21**

### **PARKING AND VIOLATIONS**

#### **21.00.00 Parking and Motor Vehicles**

##### **21.01.01 Hours – Streets**

Hereafter it shall be unlawful for any person, firm or corporation to park any motor vehicle on the driving part of any paved or blacktopped streets or on the paved portion of any partially paved or blacktopped street, between October 15<sup>th</sup> to April 15<sup>th</sup> from the hours of 2:00a.m. and 6:00a.m., within the corporate limits of the City of Sandusky.

##### **21.01.02 Municipal Parking Lots**

It shall be unlawful for any person, firm or corporation to park any truck, semi-tractor or trailer in the municipal parking lots (located on Lexington Street and Morse Street), EXCEPT for those in the process of being loaded or unloaded.

##### **21.01.03 Private Parking Lots**

It shall be unlawful for any person, firm or corporation to park any automobile, truck, semi-tractor or trailer on private property which is so posted, unless such person, firm or corporation has the express authority of the owner or tenant of the premises. For purpose of this section, the owner(s) of the vehicle shall be presumed to be responsible for control of this vehicle and this violation unless the vehicle's owner is, in fact, a licensed automobile leasing corporation and the vehicle is being used by employees, agents or representatives.

##### **21.01.04 Illegally Parked**

Motor vehicles found so illegally parked may be removed by towing and may be stored in a storage garage and the owner or operator thereof may recover such vehicle by paying the towing and storage costs to the owner of such garage where stored before release of said vehicle.

##### **21.01.05 Commercial Vehicles**

Commercial vehicles rated for more than 1.5 ton capacity(including trucks, vans and semi-trailer's) may not be parked or left un-occupied on streets, alleys or private or public property in residential districts.

##### **21.01.06 Purpose of Article**

The purpose of this article is to permit the full and complete operation by the City of Sandusky and the Sanilac County Road Commission of its snow removal and street sweeping machinery on such streets during such hours.

##### **21.01.07 Penalty**

Any person violating the provisions of this Article shall be punished under provisions of Chapter I, Section 6 of this Code as a civil infraction.

## **21.02.00 Parking Spaces and Lots**

### **21.02.01 Definitions**

For the purpose of this chapter:

- A) The word “vehicle” shall mean any device in, upon, or by which any person or property is or may be transported upon the highway.
- B) The word “street” shall mean any such street, avenue, road, alley, highway, lane or other public place located in the City of Sandusky, Michigan and established for the use of vehicles.
- C) The word “person” shall mean and include individual, firm, co-partnership, association or corporation.
- D) The word “operator” shall mean and include every individual who shall operate a vehicle as the owner thereof or as the agent, employee or permitted of the owner, or is in actual physical control of the vehicle.
- E) The word “park or parking” shall mean the standing of a vehicle, whether occupied or not, upon a street otherwise than temporarily for the purpose of, and while actually engaged in, receiving or discharging passengers, or loading or unloading merchandise, or in obedience of traffic regulations, signs, or signals, or any involuntary stopping of the vehicle by reason of causes beyond control of the operator of the vehicle.

### **21.02.02 Regulation and Designation of Controlled Parking Areas.**

#### **A) Authorization to Chief**

The Chief of Police, of the City of Sandusky, Michigan, is hereby directed and authorized to mark off or to cause the marking of, individual parking spaces in the parking zones designated and described in Section 21.02.10 of this chapter, and in such other zones as may hereafter be established, said parking spaces to be designated by lines painted or durably marked on the curb or surface of the street. At each space so marked off, it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

#### **B) Specific Areas, marking, posting, list**

For purposes of public safety, the Chief of Police of the City of Sandusky is authorized to designate, in addition to those specified herein, areas prohibiting or restricting parking.

- i) Areas may be designated:
  - a) “No Parking”
  - b) “No standing”
  - c) “Loading and unloading only”
  - d) “Handicapped Parking only” or “Disabled Drivers only”
  - e) Timed parking zones such as “30 Minute Parking” or “One Hour Parking”, “Two Hour Parking”, etc
  - f) “No Parking from 00 PM to 00 AM”
  - g) Such other parking restrictions that the Chief determines necessary and reasonable.
- ii) All such areas must be clearly posted

iii) Parking regulations established by the Chief and/or which have not been set by Ordinance may be de-regulated in the same manner.

iv) The Chief of Police shall maintain a register of all sites he/she so regulated or deregulated.

### **21.02.03 Time Limits**

Parking in time limit zones shall be enforced every day between the hours of two (2:00) o'clock a.m. and six (6:00) o'clock a.m. except Sundays and Holidays; providing however, that within the meaning of this chapter, the term "Holiday" shall include the annual holiday schedule adopted by Council at the beginning of each year.

### **21.02.04 Citation Tags or Tickets**

Citation tags or parking violation tickets shall be prepared and furnished by the Council for the purpose of giving notice to persons violating any provisions of the chapter. Such notice may be given by delivering such tag or parking violation ticket to the violator or affixing it to the vehicle by means of which the violation occurred. Such tag or parking violation ticket shall state the registration number of the vehicle and the time of the violation and shall direct the violator to present and settle for such tag or parking violation ticket, or mailing same, to the City Clerk's office, as hereinafter provided. Such tag or parking violation ticket shall provide, among other things that if the ticket be paid within forty-eight hours, by mailing or delivery to the City Clerk's office, the fine for the violation is to be annually set by the Council.

### **21.02.05 Violations**

It shall be unlawful and a violation of the provisions of this chapter for any person:

- A) To cause, allow, permit or suffer any vehicle registered in the name of, or operated by, such person to be parked overtime, or beyond the period of legal parking time, established for any timed parking zone as herein described.
- B) To park any vehicle across any line or marking of a parking space or in such a position that the vehicle shall not be entirely within the area designated by such lines or markings.

### **21.02.06 Enforcement**

It shall be the duty of the chief of police, marshal or any other police officer of the City of Sandusky, Michigan, to enforce the provisions of this chapter.

### **21.02.07 Penalty**

Any person who shall violate or fail to comply with any of the provisions of this chapter, or who shall counsel, aid or abet any such violation or failure to comply, shall be punished under the provisions of Chapter I, Section 6 of this

Code as a civil infraction and shall answer to the charge against him within three days.

#### **21.02.08 Reservation of Powers**

Nothing in this chapter shall be construed to prohibit the City of Sandusky, Michigan, from providing for bus stops, taxi-cab stands, or other matters of similar nature, including the loading and unloading of trucks, vans or other commercial vehicles.

#### **21.02.09 Exercise of Police Power**

This entire chapter shall be determined and construed to be an exercise of the police power of the City of Sandusky in the State of Michigan, and shall never be determined to be under the taxing preservation and protection of public safety and all of its provisions shall be liberally construed with the view to the effectuation of such purpose.

### **21.03.00 Parking Violations**

#### **21.03.01 Authority**

No violation may be settled at the parking violations bureau except at the specific request of the 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 at the parking violations bureau, and all persons shall be entitled to have any such violation processed before a court hearing 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.

#### **21.03.02 Citation**

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, should such a person fail to respond within the time allotted, the ticket may be filed with the District Court and treated as a Civil Infraction under the provisions of UTC Section 8.10 (Stopping, standing or parking vehicles; Violation as civil infraction.)

## SANDUSKY TRAFFIC VIOLATIONS SCHEDULE

<u>OFFENSE</u>	<u>PENALTY</u>
Angle parking violations	Grade A
Obstructing traffic	Grade B
Prohibited parking (signs necessary)	
a. on sidewalk	Grade A
b. in front of drive	Grade A
c. within intersection	Grade A
d. within 15 feet of hydrant	Grade A
e. on cross walk	Grade A
f. within 20 feet of cross walk or 15 feet of corner lot lines	Grade A
g. beside street excavation when traffic is obstructed	Grade A
h. double parking	Grade A
i. in front of theater	Grade A
j. blocking emergency exit	Grade A
k. blocking fire escape	Grade A
l. in prohibited zone (signs required)	Grade A
m. in alley	Grade A
n. in handicap area without permit	Grade B
Parking for prohibited purpose	
a. displaying vehicle for sale	Grade A
b. working or repairing vehicle	Grade A
c. displaying advertising	Grade A
d. selling merchandise	Grade A
e. storage over 48 hours	Grade A
Abandoned Vehicle Plus towing & storage	Grade A
Disabled Vehicle Failure to move	Grade A
All night parking	Grade A
Parking in prohibited zone	
a. prohibited zone	Grade A
b. tow away zone	Grade A
c. fire lane	Grade A
Between sidewalk and curb	Grade A
Overtime Parking (sign required)	Grade A

If the fines specified herein are paid at the Sandusky Police Department within 72 hours of the date of the issuance of this violation, wither in person, or by mail bearing a postmark within said 72 hour period, the fine for the violation shall be reduced by \$10.00. If the reduced payment is not received within the 72 hour period, the full amount will become due. IF PAYMENT IS NOT RECEIVED, THIS METTER WILL BE REFERRED TO THE 73 DISTRICT COURT FOR ACTION.