

ORDINANCE #14-2017

ORDINANCE TO AMEND “CHAPTER 66 – TRAFFIC AND VEHICLES” OF THE CITY OF MARLETTE CODE OF ORDINANCES

WHEREAS, the City of Marlette has completed a thorough review of its Code of Ordinances in pursuit of publishing a comprehensive update of the Code of Ordinances book; and

WHEREAS, the following amendments are necessary to complete the update.

THE CITY OF MARLETTE ORDAINS

Section 1. That Section 66-61 of Chapter 66 of the City of Marlette Code of Ordinances is hereby deleted in its entirety.

~~**Section 66-61. Private property; tow-away.**~~

~~(a) It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parking upon private property without the permission of the owner of such property.~~

~~(b) Upon the owner of any private property whereon there is a vehicle unlawfully parked, verbally complaining to the city clerk or police officer, the city clerk or police officer shall call one of the garages in the city and cause the unlawfully parked vehicle to be towed to such garage and impounded.~~

~~(c) Impounded vehicles should not be released without the presentment to the garage of a duplicate receipt signed by the city clerk authorizing the release of such vehicle.~~

~~(d) The city clerk shall not release any vehicle so impounded without the payment of the sum of \$10.00 to the city by such person desiring release of any impounded vehicle. It shall be the duty of the impounding garage to retain one of the duplicate receipts presented by any person desiring the release of an impounded vehicle. Upon the presentment to the city clerk of the retained receipt, such impounding garage shall be entitled to a fee of \$3.00 for towing and impounding such vehicle.~~

~~(e) Any garage releasing an impounded vehicle without retaining a paid receipt signed by the city clerk as set for in subsection (c) of this section shall not be entitled to any fee for towing and/or impounding such vehicle. The city shall in no way be liable to any garage owner for a sum in excess of \$3.00 for towing and/or impounding under this division, and in any event shall only be liable for such sums and under such conditions as set forth in this division.~~

Section 2. That Section 66-62 of Chapter 66 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Section 66-62. Hours of no parking.

No person shall park any vehicle on any street in the city between the hours of 2:00 a.m. and 6:00 a.m. between the dates of November 1 and April 1.

Section 3. That Section 66-63 of Chapter 66 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Section 66-63. Blocking alleys; towing.

Anyone blocking an alley by parking or stopping a vehicle in such alley in excess of ten minutes shall be subject to towing ~~and impounding under provisions of section 66-61.~~

Section 4. That Section 66-65 of Chapter 66 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Section 66-65. Fines.

~~Violations of this division shall be charged a fine as set forth in section 66-86. Fines to be charged for being in violation of this division shall be \$1.00 if paid within 48 hours (Sundays and holidays not counted in the limitations) and \$2.00 if paid after 48 hours.~~

Section 5. That Section 66-86 of Chapter 66 of the City of Marlette Code of Ordinances is hereby amended in its entirety as follows:

Section 66-86. Schedule of infractions and fines.

(a) *Generally.* The fines for the infractions listed in this subsection shall be as follows:

<i>Infraction</i>	<i>Fine</i>
(1) Parking too far from curb	\$ 425.00
(2) Angle parking violation	425.00
(3) Obstructing traffic	425.00
(4) Prohibited parking (signs unnecessary):	
a. On sidewalk	425.00
b. In front of drive	425.00
c. Within intersection	425.00
d. Within 15 feet of hydrant	425.00
e. On crosswalk	425.00
f. Within 20 feet of crosswalk or 15 feet of corner lot lines	425.00
g. Within 30 feet of street side traffic sign or signal	425.00
h. Within 50 feet of railroad crossing	425.00
i. Within 20 feet of fire station entrance	10.00
j. Within 75 feet of fire station entrance opposite side of street (signs required)	10.00
k. Beside street excavation when traffic obstructed	10.00
l. Double parking	425.00
m. On bridge of viaduct or within tunnel	10.00
nj. Within 200 feet of accident where police in attendance	425.00
o. In front of theater	10.00
pk. Blocking emergency exit	425.00
ql. Blocking fire escape	425.00
(5) In prohibited zone (signs required)	425.00
(6) In alley	425.00

(7) Parking for prohibited purpose	4025.00
a. Displaying vehicle for sale	10.00
b. Working or repairing vehicle	10.00
ea. Displaying advertising	4025.00
d. Selling merchandise	10.00
eb. Storage over 48 hours	4025.00
(8) Wrong side boulevard roadway of street	4025.00
(9) Loading zone violation	4025.00
(10) Bus parking other than bus stop	10.00
(11) Taxicab, parking other than cab stand	10.00
(12) Bus, taxicab stand violations	10.00
(13) Meter violation	10.00
(14) Failure to set brakes	10.00
(15) Parking on grade, wheels not turned to curb	4025.00
(16) Bicycle parking violations	10.00
(17) Parking on any street between 2:00 a.m. and 6:00 a.m. between	25.00
November 1 and April 1:	25.00
a. If paid within 48 hours (Sundays and holidays excluded)	1.00
b. If paid after 48 hours	2.00

(b) *Additional infractions.* The fines for the additional infractions listed in this subsection shall be as follows:

<i>Infraction</i>	<i>First Infraction</i>	<i>Second Infraction</i>	<i>Third and Subsequent Infraction</i>
(1) Abandoned vehicle (plus towing and storage charge)	\$ 25.00	\$ 50.00	\$100.00
(2) Disabled vehicle, failure to move	25.00	50.00	100.00
(3) Keys in vehicle or motor running	25.00	50.00	100.00
(4) All night parking	25.00	50.00	100.00
(5) In prohibited zone:			
a. Prohibited zone	25.00	50.00	100.00
b. Tow away zone	25.00	50.00	100.00
c. Fire lane	25.00	50.00	100.00
(6) Between sidewalk and curb	25.00	50.00	100.00
(7) Private property, without owners consent	25.00	50.00	100.00

Section 6. This Ordinance is declared necessary for the peace, health and safety of the residents of the City of Marlette and shall become effective upon twenty five days after enactment and publication.

Mayor

Approved as to form:

City Attorney

First Reading: _____
Second Reading: _____
Published: _____

The foregoing ordinance was offered by Council Member ____ and supported by Council Member _____:

AYES: _____
NAYS: _____ ABSENT: _____

The Clerk declared the ordinance adopted.

I, Sandra Cargill, the duly qualified and acting Clerk of the City of Marlette, Sanilac County, Michigan do hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Council at a regular meeting held on Monday, _____, 2017, the original of which is on file in the City Office.

Sandra Cargill, City Clerk