

CHESTER TOWNSHIP
OTTAWA COUNTY, MICHIGAN

Ordinance No. 2003-05-02

An ORDINANCE to promote the public health, safety, and general welfare by **regulating parking** on certain public streets within Chester Township in the winter in order to allow necessary snow removal activities to be uninterrupted, pursuant to P.A. 1945 No. 246, as amended, and the Michigan Vehicle Code, as amended.

THE CHARTER TOWNSHIP OF CHESTER ("Township") ORDAINS:

SECTION 1. Title of Ordinance.

This Ordinance shall be cited as the "Chester Township Winter Parking Ordinance."

SECTION 2. Definitions.

- A. **Park:** Leaving, placing, or standing a vehicle, whether occupied or not, upon a street or highway, when not loading or unloading except when making necessary repairs for a period not exceeding two (2) hours.
- B. **Street:** The entire width between the boundary lines of every way publicly maintained way, including streets, roads, highways and alleys, when any part thereof is open to the use of the public for purposes of vehicular travel.

SECTION 3. Signs

The Township shall place a sign on all streets listed in Section 4 hereof stating: "NO PARKING ON ANY STREET 3:00 A.M. TO 7:00 A.M. NOVEMBER 1 TO APRIL 1."

SECTION 4. Prohibited Winter Parking

No person shall park a motor vehicle on the following public streets within the Township or in the right-of-way adjacent to any such public street from November 1 of each year through April 1 of the following calendar year between the hours of 1:00 o'clock a.m. and 7:00 o'clock a.m. of any day during said period.:

- a) Conklin St.
- b) Main St.
- c) Cherry St.
- d) Maple St.
- e) Miller St.

- f) Grove St.
- g) Daggett St.
- h) Sehler St.
- i) Crockery Shores Rd.
- j) Melbye St.
- k) Van Dyke St.

SECTION 5. Penalty for Violation.

A violation of this Ordinance constitutes a municipal civil infraction. Any person who violates, disobeys, omits, neglects, or refuses to comply with any provision of this Ordinance, or any amendment thereof, or any person who knowingly or intentionally aids or abets another person in violation of this Ordinance, shall be in violation of this Ordinance and shall be responsible for a civil infraction. The civil fine for a municipal civil infraction shall be not less than fifty dollars (\$50.00) for the first offense and not less than two hundred dollars (\$200.00) for subsequent offenses, in the discretion of the court, in addition to all other costs, damages, expenses and remedies provided by law. For purposes of this section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within twelve (12) months of a previous violation of the same provision of this Ordinance or similar provision of this Ordinance for which said person admitted responsibility or was adjudged to be responsible. Each day during which any violation continues shall be deemed a separate offense.

SECTION 6. Impounding of Motor Vehicle.

- A. A motor vehicle which remains on a public street or other place open to travel by the public for a period of forty-eight (48) hours or more during any time of the year, without notification by the registered owner to the police agency of the Township (including the Ottawa County Sheriff) of the reasons for leaving the vehicle in the public place, shall be deemed abandoned and may be impounded by any police agency.
- B. After deeming a vehicle to be abandoned, the police agency or the Township shall follow the procedures specified in the Michigan Vehicle Code, as amended.

SECTION 7. Repeal and Severability.

Any ordinance in conflict with this Ordinance is hereby repealed to the extent of such conflict. Should any section, clause or provision of this Ordinance be held invalid in any court of competent jurisdiction, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so held to be invalid.

SECTION 8. Effective Date.

This Ordinance shall be effective thirty (30) days after publication of this Ordinance (or a summary thereof) in a newspaper of general circulation in the Township of Chester.

The foregoing Ordinance was offered for adoption by Township Board Member Berenbrock, and was supported by Township Board Member Joiner, the vote being as follows:

YEAS: Redding, Kelly, Joiner, Berenbrock

NAYS: None

ABSENT/ABSTAIN: Creager-absent

ORDINANCE DECLARED ADOPTED.

Janice Redding, Clerk
Chester Township

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Chester Township Board at a regular meeting held at Township Hall on 5/6/2003, pursuant to the procedures required by law.

Janice Redding, Clerk
Chester Township

10591 (001) 191776.01