

**CITY OF GRAND HAVEN
OTTAWA COUNTY, MICHIGAN**

ORDINANCE NO. 16-04

**AN ORDINANCE TO AMEND CHAPTER 36 ARTICLE III, SECTION 36-38 OF THE
GRAND HAVEN CODE OF ORDINANCES REGARDING PROHIBITED PARKING AND
PERMITS AND TO ADD SECTION 36-40 REGARDING IMPOUNDMENT AND
TOWING**

The City of Grand Haven Ordains:

Section 1. Amendment. Chapter 36, Article III, Section 36-38 of the Code of Ordinances of the City of Grand Haven is amended to read as follows:

Sec. 36-38. - Parking prohibited; areas; permits.

(a) No person shall park any vehicle on a public street within the city between the hours of 2:00 a.m. and 6:00 a.m. from December 1 until April 1, except as otherwise provided in this section.

(b) Except as otherwise provided in this section, no person shall park any vehicle, between the hours of 3:00 a.m. and 6:00 a.m., at any time during the year on the following:

(1) Both sides of Washington Avenue from Harbor Drive to Fourth Street;

(2) Both sides of First, Second and Third Streets from Franklin to Columbus Streets.

(c) Except as otherwise provided in this section, no person shall park any vehicle between the hours of 3:00 a.m. and 6:00 a.m. at any time during the year in any municipal parking lot.

(d) Daytime parking may be regulated by traffic control order as determined by the city and traffic engineer.

(e) Overnight parking shall be permitted on a limited basis and be restricted to designated areas of municipal parking lots and on City streets as determined by the traffic engineer with the following terms and conditions:

(1) Overnight parking permits shall only be issued to:

(i) Individuals residing or owning dwelling units located within a special assessment district established by the city to finance construction of municipal parking lots within the city's downtown development district as designated in section 12-12 of this Code of Ordinances; or

(ii) Individuals without adequate off street parking space demonstrating a permanent practical difficulty that is not self-created as determined by the traffic engineer and street administrator.

(2) Overnight parking permits shall only be issued following the submission of an application on a form approved by the city and payment of a permit fee. The amount of the permit fee shall be established from time to time by resolution.

(3) Overnight parking permits shall be issued for twelve-month terms.

(4) Only motorized passenger vehicles with current city permits may park overnight in the designated portions of designated parking lots or on street in the designated area.

(5) No vehicle shall be parked, without movement, in any overnight permit spaces parking lot or on street in excess of seventy-two (72) continuous hours.

(6) Temporary overnight public parking may be permitted through an established permit system regulated by the city.

(7) The department of public safety shall maintain records regarding the number of permits issued, pertinent expiration dates and the availability of parking spaces in municipal parking lots.

(8) On street parking permits may only be issued in cases where no other off street options are available as determined by the traffic engineer and street administrator. On street parking permits shall allow holders to park on street on the odd addressed side of the street on odd dates and on the even addressed side of the street on even dates.

(9) A list of permit holders shall be maintained and provided to the City Council each year before December 1.

(f) Any person who violates any provision of this section shall be responsible for a civil infraction and shall be subject to the fines and actual costs provided for in section 1-9 of this Code and any additional penalties imposed in section 36-40.

Section 2. Amendment. Chapter 36, Article III, the Code of Ordinances of the City of Grand Haven is amended to add section 36-40 to read as follows:

Sec. 36-40. – Impoundment.

(a) The City may provide for the immediate removal of a vehicle from public or private property to a place of safe-keeping at the expense of the last-titled owner of the vehicle in any of the following circumstances:

(1) A vehicle with 6 or more unpaid traffic tickets or parking violation notices under this Chapter, the Uniform Traffic Code, or the Michigan Vehicle Code;

(2) If removal is necessary in the interest of public safety because of fire, flood, storm, snow, natural or man-made disaster, or other emergency; and

(3) In any other circumstance in which impoundment is authorized under the Uniform Traffic Code or the Michigan Vehicle Code, including but not limited to section 252d.

(b) Whenever a vehicle has been towed and impounded in accordance with this section, the owner or operator thereof shall pay to the towing contractor of the city all costs and expenses by reason of the institution of those steps necessary for removal of the vehicle. However, the bond or deposit required by the city or the towing contractor for the owner or operator to recover possession of the vehicle shall not exceed the maximum amount permitted under the Michigan Vehicle Code, including but not limited to section 606.

(c) All fine(s) shall be paid as set forth in Section 36-36. All costs of impoundment shall be paid directly to the towing contractor of the city.

Section 3. Effective Date. This ordinance shall become effective 20 days after its adoption or upon its publication, whichever occurs later.

YEAS:	Brugger, Scott, Fritz, and McCaleb
NAYS:	Monetza
ABSTAIN:	NONE
ABSENT:	NONE

CERTIFICATION

I certify this true and complete copy of Ordinance No. 16-04 adopted at a Regular Meeting of the Grand Haven City Council held on December 5, 2016.

Linda L. Browand, City Clerk

Introduced: November 21, 2016
Adopted: December 5, 2016
Published: December 19, 2016
Effective: December 25, 2016