

ORDINANCE NO. 80-

AN ORDINANCE TO AMEND CHAPTER 22, OFFENSES, ARTICLE IV, OFFENSES AGAINST PROPERTY, DIVISION 2, TRESPASS, SECTION 72, UNAUTHORIZED ENTRANCE UPON PRIVATE PARKING AREA.

THE CITY OF WARREN ORDAINS:

SECTION 1. That Chapter 22, Article 4, Division 2, Section 72 of the City of Warren Code of Ordinances entitled Unauthorized entrance upon private parking area, which presently reads:

Sec. 22-72. Unauthorized entrance upon private parking area.

- (a) Any person who enters upon any private parking area, either in a vehicle or on foot, without the express or implied permission of the owner, lessee, occupant or agent, shall be guilty of a misdemeanor.
- (b) Before this section shall be effective in any parking area, suitable signs must be first posted which would apprise the ordinarily observant person of the restricted use of the parking area. For the purpose of this section, implied permission shall be deemed granted to any person for the use designated by such signs.
- (c) Complaint for violation of this section may be made by the owner, lessee or occupant of the parking area, or the agent thereof, and the police department shall enforce this section.

(Code 1967, § 8-252)

IS HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 22-72. Unauthorized entrance upon private parking area and abandoned vehicles.

- (a) Any person who enters upon any private parking area, in a vehicle without the express or implied permission of the owner, lessee, occupant or agent, shall be guilty of a misdemeanor.
- (b) Any self propelled vehicle capable of transporting a person or persons or any material or goods or any permanently or temporarily affixed apparatus shall be deemed a vehicle for purposes of this section.
- (c) For purposes of this section, private property is any property owned by an individual, group, business or other entity and not owned by any branch of local, county, state or federal government. **Private Parking Area** means an area to which the public has

access, whether on payment of a fee or gratuitously, for the purposes of parking motor vehicles;

- (d) A vehicle, whether occupied or unoccupied, that remains on private property without the consent of the owner is an abandoned vehicle.
- (e) Before this section shall be effective in any parking area, suitable signs must be first posted which would apprise the ordinarily observant person of the restricted use of the parking area. For the purpose of this section, implied permission shall be deemed granted to any person for the use designated by such signs.
- (f) If a vehicle has remained on private property without the consent of the property owner, the owner of the private property may have the vehicle taken into custody as an abandoned vehicle by contacting a local towing agency or the Warren Police Department. A local towing agency is considered a towing agency whose storage lot is located within 15 miles from the border of the City of Warren.
- (g) Private property owners, lessees or occupants may obtain signs from the City that are intended to inform the City and its' officials that the owner forbids any parking after normal business hours. These signs are available at Warren City Hall Public Service Department. Owners of the property must sign an authorization/consent/release form in order to obtain a sign from the City. Placement of this sign on the property constitutes a complaint by the owner, lessee or occupant and implicitly authorizes the police department to tow any vehicle parked there after normal business hours.
- (h) Display of the sign referenced in subsection (e) above, shall inform the public that the owner does not give consent to anyone to use the parking area and authorizes the Warren Police Department to have the vehicle towed to a local towing agency.
- (i) Complaint for violation of this section may be made by the owner, lessee or occupant of the parking area, or the agent thereof, and the police department shall enforce this section.
- (j) If a vehicle is removed the provisions of MCL 257.252a sections 12 through 21 shall apply.

(Code 1967, § 8-252) See also MCL 257.252a

SECTION 2. This Ordinance shall take effect on September 2, 2024.

I HEREBY CERTIFY that the foregoing Ordinance No. 80-820 was adopted by the Council of the City of Warren at its meeting held on August 13, 2024.

SONJA BUFFA
City Clerk

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