

**STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF WALLED LAKE**

ORDINANCE NO. C-355-20

**AN ORDINANCE TO AMEND CHAPTER 70, "STREETS,
SIDEWALKS AND OTHER PUBLIC PROPERTY", BY
ADOPTING A NEW ARTICLE V, ESTABLISHING
"PARKING ON CITY PROPERTY" OF THE CITY OF
WALLED LAKE CODE OF ORDINANCES; AUTHORIZING
THE ADMINISTRATION OF THE CITY MANAGER TO
ENFORCE PARKING ON MUNICIPAL PROPERTY**

The City of Walled Lake Ordains:

Section 1 of Ordinance - General Rules and Jurisdiction.

Chapter 70 "Streets, Sidewalks and Other Public Property" of the City of Walled Lake Code of Ordinances is hereby amended by adopting Article V "Parking on City Owned Property" which shall read as follows:

ARTICLE V. PARKING ON CITY OWNED PROPERTY

Sec. 70-221. Purpose

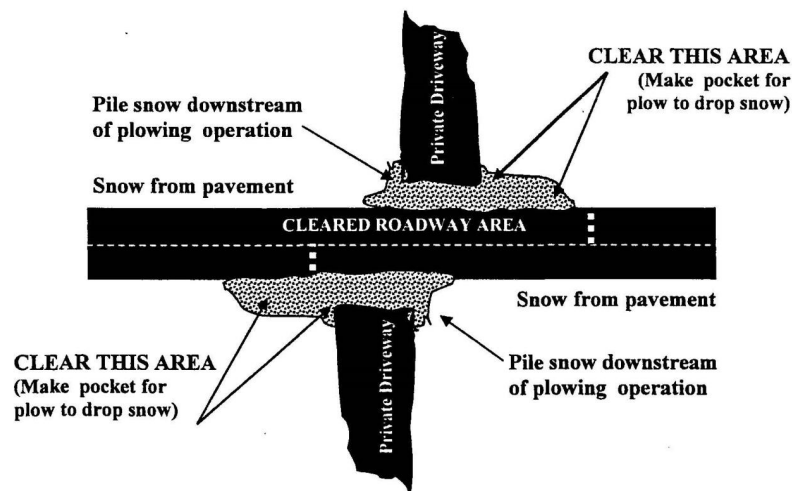
The provisions of this Article shall apply in and to all the grounds, buildings, facilities, and territory owned by the City of Walled Lake and its residents. Where the need for parking space for residents, business owners and employees of the City of Walled Lake while engaged in the work of the City makes it advisable, parking on property belonging to the City may be limited, restricted or prohibited by order of the proper authority; such limitation, restriction or prohibition shall be indicated by signs, or devices of uniform character indicating the distance, place and space, and it shall be unlawful for any person to park a vehicle in violation of such limitation, restriction or prohibition.

Sec. 70-222. Parking Restrictions and Time Limits

Except as expressly stated elsewhere in this ordinance, bona fide users of the municipal facilities served by City owned parking facilities, public parking on city property is prohibited. The City Manager shall issue an order that violators parked on City property exceeding 3 hours for activities not related to City business shall be cited for a municipal civil infraction. For the purposes of this section, City owned property includes the Public Safety Campus (i.e. City Hall, Police Department, Fire Station, Library and Public Works), Michigan Airline Trailhead and property directly west of the Public Safety Campus while under the ownership of the City of Walled Lake. For purposes of this section City owned property shall not include public parking facilities for public parks.

Sec. 70-223. Snow Emergencies.

No parking on any public street, city street, highway, parking lot, or alley after snowfall and/or drifting snow of two (2) inches or more, prior to snow removal or plowing by the City on said street, city street, highway, parking lot, or alley. All vehicles found in violation of this traffic control order shall be ticketed and the owner, if possible, notified to remove said vehicle from the street, city street, highway, parking lot, or alleyway. In addition, the vehicle and/or trailer may be removed from the public street, highway, parking lot, or alleyway at the expense of the owner.



Sec. 70-224. Parking of commercial vehicles on residential street prohibited, penalty.

- 1) Parking of commercial vehicles on residential streets for more than six (6) hours is prohibited. In the event the owner or persons in possession of said motor vehicle fails to remove the same after the lapse of six (6) hours, the police department may in its discretion cause the same to be towed away and placed in the impound.
- 2) Cost of towing, storage and any other fines assessed by the court must be paid by the owner or person in possession of said motor vehicle prior to the release of said motor vehicle.
- 3) Any person, firm or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed \$100.00 or be imprisoned for a period of not more than 30 days, or both such fine and imprisonment.

Sec. 70-225. Prohibited parking.

Except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer, or in compliance with an official City traffic-control device or marking reasonably indicating an exception, no person shall:

- A. Park a vehicle as follows:

1. a. On the roadway side of a parked vehicle; or
 - b. On the roadway side of the space in which a vehicle may be parked. Both subsections (A)(1)(a) and (b) of this section are pursuant to “double parking,” with the following exemption: commercial vehicles making deliveries to businesses may park in this manner for not more than 10 minutes on public rights-of-way; provided, that such parking does not unreasonably block or otherwise interfere with the free movement of vehicular traffic, and is prohibited on all public rights-of-way between the hours of 3:00 p.m. and 6:00 p.m. Monday to Friday;
2. On a sidewalk or street planting strip within the right-of-way;
3. Within an intersection;
4. Within 20 feet of a crosswalk;
5. Property owners are responsible for providing their own parking for their employees and patrons. Parking in any municipal parking lot for more than three (3) hours, for non-city business, is subject to towing and associated fines;
5. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;
6. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
7. Upon any bridge or any elevated structure upon a street or within a street tunnel;
8. On any railroad tracks;
9. In the area between roadways of a divided highway, including crossovers;
10. Upon any street in such a manner so as to unreasonably block or obstruct vehicles lawfully traveling on such street;
11. On that portion of a street bordered by painted red curb markings;
12. In violation of any sign maintained by the City giving notice of a parking prohibition;
13. Upon a parade route which has been posted 24 hours prior to such parade;
14. Stopping or parking a vehicle within 10 feet of a United States mailbox. Exemption: temporary stopping or parking a vehicle for the purpose of, and while engaged in, the delivery or pickup of postal items.

- B. Park a vehicle, except momentarily, for the purpose of picking up or discharging a passenger or passengers, as follows:
1. In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;
 2. Within 15 feet of a fire hydrant;
 3. Within 20 feet of a crosswalk;
 4. Within 30 feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of a roadway;
 5. Within 20 feet of the driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within 75 feet of the entrance when properly signposted;
 6. Within 50 feet of the nearest rail of a railroad crossing;
 7. At any time during street sweeping hours when signs or other reasonable method(s) have been utilized to provide prior notice of said prohibition.
- C. It is unlawful to park any vehicle upon any street for the principal purpose of:
1. Displaying advertising;
 2. Displaying such vehicle for sale on residential property;
 3. Selling merchandise from any vehicle.
- D. It is unlawful for any person to park any motor vehicle or trailer on a public street or parking lot for the purpose of sleeping therein or maintaining the same as a temporary or permanent residence or shelter, except as follows:
1. It shall be a defense to a charge under this subsection that the offense was necessitated by a temporary emergency situation and that no reasonable alternative was available to the defendant under the circumstances.

Sec. 70-226. Enforcement.

The City Manager is hereby authorized, either through the Office of the City Manager or through such other city departments or divisions to which the City Manager may delegate the authority, to cause the relief of parking on City owned property, in accord with procedures set forth in this division and applicable laws.

Sec. 70-227. Penalty.

Any person defined in section 70-220, who shall fail or refuse to comply with the provisions set forth, on conviction thereof, shall be guilty of a municipal civil infraction as provided in section 1-25 of this Code. If the vehicle is left more than 48 hours without permission from the City Manager or his designee, the vehicle shall be towed at the owner's expense except as expressed by this Article. Whoever violates any of the provisions of this chapter is responsible for a civil infraction and shall be subject to a civil fine of not more than \$100 for each offense.

Section 2. Severability

If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this ordinance; but the remainder of this ordinance shall stand and be in full force and effect.

Section 3. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 4. Repealer

All other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 5. Effective Date

This ordinance is hereby declared to have been adopted by the Walled Lake City Council on _____ and ordered to be given publication in the manner prescribed by the City Charter of the City of Walled Lake.

AYES: ()

NAYS: ()

ABSENTS: ()

ABSTENTIONS: ()

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

JENNIFER A. STUART, City Clerk
CITY OF WALLED LAKE

LINDA S. ACKLEY, Mayor
CITY OF WALLED LAKE

Introduced: July 21, 2020
Adopted: _____, 2020
Effective: _____, 2020