

REPUBLIC TOWNSHIP, MARQUETTE COUNTY, MICHIGAN
WINTER PARKING ORDINANCE
ORDINANCE NO. 2013-15

AN ORDINANCE PROHIBITING THE PARKING OF VEHICLES ON STREETS OR ALLEYS IN THE TOWNSHIP OF REPUBLIC BETWEEN THE HOURS OF ONE O'CLOCK (1:00) A.M. AND SIX O'CLOCK (6:00) A.M. FROM NOVEMBER 15 UNTIL MAY 1 AND ESTABLISHING A TOWNSHIP PARKING VIOLATIONS BUREAU TO ACCEPT GUILTY PLEAS AND TO COLLECT AND RETAIN FINES UNDER THE PROVISIONS OF THIS ORDINANCE.

Section 1: Short Title

This ordinance shall be known by short title "Winter Parking Ordinance".

Section 2: Certain Winter Parking Declared Nuisance

The parking of automobiles, trucks or other vehicles on the streets, sidewalks and alleys of the Township of Republic between the hours of one o'clock (1:00) a.m. and six o'clock (6:00) a.m. from November 15 until May 1 of each year is by these presents, declared to be a hindrance to the proper and necessary removal of snow from the streets, sidewalks and alleys and a hindrance to the elimination of traffic hazards caused by snow and ice, and such parking is hereby declared a nuisance.

Section 3: Prohibition of Certain Winter Parking

No Individual, partnership, company or corporation shall park any automobile, truck or other vehicle on the streets, sidewalks and alleys in the Township of Republic between the hours of one o'clock (1:00) a.m. and six o'clock (6:00) a.m. from November 15 until May 1, provided that this prohibition shall not apply to physicians on emergency calls.

Section 4: Impounding of Certain Vehicles

Any automobile, truck or other vehicle parked or abandoned in violation of Section 2 herein shall be impounded and may be ordered towed away by any police officer of the Township of Republic or by the Township Supervisor or by any person designated by the Township - Supervisor. Any such person impounding a vehicle as aforesaid shall affix a tag to such vehicle stating the date and time such vehicle was found parked or abandoned in violation of this ordinance, requiring the owner to report at a certain time at the Republic Township Parking Violations Bureau or the 96th District Court, Ishpeming, Michigan, as hereinafter provided, on a charge of violating this parking ordinance.

Section 5: Parking Violations Bureau

There is hereby created the Republic Township Parking Violations Bureau, the purpose of which is to accept pleas of guilty in parking violation cases under this Ordinance and to collect and retain fines and costs as prescribed by this Ordinance. The Parking Violations Bureau is to be operated through the office of the Republic Township Clerk. All expenses of the operation of this Bureau shall be borne by the receipts of the Bureau and any appropriations made to the Bureau by the Republic Township Clerk's office by the Republic Township Board.

Section 6: Fine on Violation

Any individual, partnership, company or corporation who shall be found guilty of violating this Ordinance shall pay a fine thereof in the amount of Five Dollars (\$5.00) for the first offense and in the amount of Twenty-Five Dollars (\$25.00) for each offense thereafter in any one year. Such fines to be paid at the Republic Township Parking Violations Bureau, Republic Township clerk's office within forty-eight (48) hours. Any person accumulating three unpaid tickets will be given a court appearance, stating the time to appear in the 96th District Court. The District Judge may, in addition to assessing a fine, impose a jail sentence of not less than One (1) day and not more than Two (2) days in the Marquette County Jail.

Section 7: Costs of Violation

The owner of any such vehicle found guilty of violating this Ordinance whose vehicle is ordered towed away, shall, in addition to paying the fine herein provided pay all necessary costs of impounding, hauling, towing away or storing said vehicle and of imprisonment in the Marquette County Jail and the same shall be collected in the same manner as fines. Said costs shall be determined at the date of the hearing and shall constitute a lien against said vehicle until paid.

Section 8: Severability

The several sections of this Ordinance shall be deemed severable and should any a section, clause or provision thereof be declared unconstitutional or contrary to the laws of the State of Michigan, and therefore voided by any court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than that part of section so declared to be unconstitutional or invalid.

Section 9: Police Effect

This Ordinance is declared to be necessary for the protection, health, safety, welfare and peace of the people of the Township of Republic, and is not to be construed as a substitute for the Michigan Vehicle Code, Public Act of 1945, No 87, as amended, but shall be considered to be supplementary thereto.

Section 10: Effective Date

This Ordinance was adopted by the Republic Township Board of Marquette County, Michigan at a meeting held on _____, and notice ordered published in the Mining Journal, a newspaper having general circulation in said Township of Republic, said publication to be made within thirty (30) days after Adoption. This amended Ordinance shall become effective immediately upon publication.