

City of Muskegon
Muskegon County, Michigan
Ordinance No. 2350

THE CITY OF MUSKEGON ORDAINS:

Chapter 92, Section 92-71, "Parking restrictions," and Section 92-73, "Parking violations bureau; minimum parking fines," of the Code of Ordinances, City of Muskegon, Michigan is hereby repealed and replaced by the following:

Sec. 92-71. Parking restrictions.

- (1) A vehicle shall not be parked, except if necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic-control device, in any of the following places:
 - (a) On a sidewalk;
 - (b) In front of a public or private driveway;
 - (c) Within an intersection;
 - (d) Within 15 feet of a fire hydrant;
 - (e) On a crosswalk;
 - (f) Within 20 feet of a crosswalk, or if there is not a crosswalk then, within 15 feet of the intersection of property lines at an intersection of highways.
 - (g) Within 30 feet of the approach to a flashing beacon, stop sign, or traffic control signal located at the side of a highway;
 - (h) Between a safety zone and the adjacent curb or within 30 feet of a point on the curb immediately opposite the end of a safety zone, unless a different length is indicated by an official sign or marking;
 - (i) Within 50 feet of the nearest rail of a railroad crossing;
 - (j) 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 if properly marked by an official sign.
 - (k) Alongside or opposite any street excavation or obstruction, if the stopping, standing, or parking would obstruct traffic;
 - (l) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.
 - (m) Upon a bridge or other elevated highway structure or within a highway tunnel.
 - (n) At a place where an official sign prohibits stopping or parking.
 - (o) Within 500 feet of an accident at which a police officer is in attendance, if the scene of the accident is outside of a city or village.
 - (p) In front of a theater

- (q) In a place or in a manner that blocks immediate egress from an emergency exit conspicuously marked as an emergency exit of a building.
- (r) In a place or in a manner that blocks or hampers the immediate use of an immediate egress from a fire escape conspicuously marked as a fire escape providing an emergency means of egress from a building.
- (s) In a parking space clearly identified by an official sign as being reserved for use by disabled persons that is on public property or private property available for public use, unless the individual is a disabled person as described in section 19a or unless the individual is parking the vehicle for the benefit of a disabled person. In order for the vehicle to be parked in the parking space the vehicle shall display 1 of the following:
 - (i) A certificate of identification or windshield placard issued under section 675 to a disabled person.
 - (ii) A special registration plate issued under section 803d to a disabled person.
 - (iii) A similar certificate of identification or windshield placard issued by another state to a disabled person.
 - (iv) A similar special registration plate issued by another state to a disabled person.
 - (v) A special registration plate to which a tab for persons with disabilities is attached issued under this act.
- (t) In a clearly identified access aisle or access lane immediately adjacent to a space designated for parking by persons with disabilities.
- (u) On a street or other area open to the parking of vehicles that results in the vehicle interfering with the use of a curb-cut or ramp by persons with disabilities.
- (v) Within 500 feet of a fire at which fire apparatus is in attendance, if the scene of the fire is outside a city or village. However, volunteer fire fighters responding to the fire may park within 500 feet of the fire in a manner not to interfere with fire apparatus at the scene. A vehicle parked legally previous to the fire is exempt from this subdivision.
- (w) In violation of an official sign restricting the period of time for a manner of parking.
- (x) In a space controlled or regulated by a meter on a public highway or in a publicly owned parking area or structure, if the allowable time for parking indicated on the meter has expired, unless the vehicle properly displays 1 or more of the items listed in section 675(8).
- (y) On a street or highway in such a way as to obstruct the delivery of mail to a rural mailbox obstruct the delivery of mail to a rural mailbox by a carrier of the United States postal service.
- (z) In a place or in a manner that blocks the use of an alley.
- (aa) In a place or in a manner that blocks access to a space clearly designated as a fire lane.
- (LO1) On those streets that have been signed or marked for angle parking, a person shall not stop, stand, or park a vehicle other than at the angle to the curb or edge of the roadway indicated by the signs or markings. The front

of the vehicle must be nearest the curb or edge of roadway and the rear of the vehicle nearest the travel portion of the roadway or parking area (no backing in);

- (LO2) A person shall not stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the right hand wheels of the vehicle within 12 inches of the curb or edge of the roadway, except otherwise provided in this part;
- (LO3) A person shall not stop, stand, or park a vehicle other than a bus in a bus stop or other than a taxi cab in a taxi cab stand when the stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, the expeditious loading or unloading of passengers, if the stopping does not interfere with any bus or taxi cab waiting to enter or about to enter the zone.
- (LO4) On unimproved side or front yards of residential lots.
- (LO5) Within 50 feet of a public boat launch
- (LO6) Other than between painted lines in designated parking areas
- (LO7) Along or on any unpaved parkway, except where the same is used for a driveway to enter private or public property. Parking on the terrace (i.e., the area between the property line and the street) is permitted during the winter season from December 15 through the last day of February.
- (LO8) In any public park, beach or other public area between the hours of 11:00pm and 5:00am.
- (LO9) On any street between 2:00am and 6:00am during the winter season from December 15 through the last day of February.
- (LO10) Commercial Vehicle defined: "Commercial vehicle" includes all motor vehicles used for the transportation of passengers for hire, or constructed or used for transportation of goods, wares or merchandise, and /or all motor vehicles designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn,
 1. No commercial vehicle shall be parked upon any street or alley for a period longer than two (2) hours.
 2. No commercial vehicle shall be parked at any angle to the line of the street or alley while loading or unloading for a period longer than one (1) hour.
 3. No commercial vehicle shall be parked at any angle to the line of the street or alley where such vehicle would prohibit the free flow of traffic.
 4. No commercial vehicle shall be parked in residential areas.
- (LO11) Special provisions relating to trailers and semitrailers:
 1. No unattached trailer or semitrailer shall be parked on any street or alley at any time except when it is necessary to temporarily disconnect such trailer or semitrailer for convenience in loading or unloading.
 2. Streets in a business district may be designated on which no trailer shall be stopped, parked or allowed to stand between the hours of 10:00am and 6:00pm.
 3. A person who violates this section is responsible for a civil infraction.

(LO12) No vehicle shall display a ‘for sale’ sign while parked on any public street or property.

(LO13) No person shall drive or operate a motor vehicle in any area or place other than the public streets and roadways or other such areas so designated for the vehicular travel, and no person shall drive or operate a motor vehicle along or upon any unpaved parkway except where the same is used for a driveway to enter private or public property, nor shall any person drive or operate a motor vehicle in any public park beach or other public area, except in those areas designated for vehicular travel therein.

- (2) A person shall not move a vehicle not owned by the person into a prohibited area or away from a curb a distance that makes the parking unlawful.
- (3) A bus, for the purpose of taking on or discharging passengers, may be stopped at a place described in subsection (1)(b), (d), or (f) or on the roadway side of a vehicle illegally parked in a legally designated bus loading zone. A bus, for the purpose of taking on or discharging a passenger, may be stopped at a place described in subsection (1) (n) if the place is posted by and appropriate bus stop sign, except that a bus shall not stop at such a place if the stopping is specifically prohibited by the responsible local authority, the state transportation department, or the director of the department of state police.
- (4) A person who violated this section is responsible for a civil infraction.

Sec. 92-73. Parking violations bureau; minimum parking fines.

- (1) Pursuant to the provisions of state law MCL 600.8395, there is hereby established within the city a parking violations bureau to accept pleas of responsible in motor vehicle parking violation cases and to collect and retain fines and costs as prescribed by ordinance.
- (2) Upon pleading responsible or being found responsible by a court, the fines for parking violations shall be as follows:

(2.1) *Level 1 parking violations.*

Code 92-71(1)	Offense
LO1	Violation of angle parking/backed into space signs
LO2	Too far from curb
LO2	Parking facing traffic
LO3	Loading zone, Passenger zone (bus/taxi cab zone)
w	Parking overtime
x	Meter Parking

The penalties for level 1 parking violations are as follows:

If paid within 7 days	If paid after 7 days but before 14 days	If paid after 14 days but before 30 days	If paid after 30 days
\$10.00	\$20.00	\$30.00	\$60.00

(2.2) *Level 2 parking violations.*

Code § 92-71(1)	Offense
a	Parking on sidewalk
b	Blocking driveways
c	Within an intersection
e	In a crosswalk
f	Within 20 feet of a crosswalk or within 15 feet of property lines at intersection
g	Too close to a flashing beacon, stop sign, yield sign, traffic control signal, or other traffic sign
h	In a safety zone
i	Too close to railroad
j	Too close to fire station entrance
k	Parking: obstruct traffic
m	Parking on a bridge or in a tunnel
n	Posted prohibited parking; parking violation of any posted signs
o	Parking within 500 feet of an accident
p	Parking in front of a theater
q	Blocking emergency exits
r	Blocking fire escape
v	Within 500 feet of a fire or fire apparatus (except volunteers and vehicles legally parked before the fire)
y	Obstruct mail delivery
z	Alley parking
LO4	Front and side yard parking
LO7	Parking on terrace or parkway
LO9	2a—6a parking prohibited
LO10	Commercial vehicles
LO11	Unattached trailers and semitrailers
LO12	No vehicle shall display a “for sale” sign while parked on any public street or property
	Other violations

The penalties for level 2 parking violations are as follows:

If paid within 7 days	If paid after 7 days but before 14 days	If paid after 14 days but before 30 days	If paid after 30 days
\$15.00	\$30.00	\$45.00	\$70.00

(2.3) *Level 3 parking violations.*

Code §92-71(1)	Offense
d	Too close to a fire hydrant
l	Double parking
LO6	Parking outside the lines
LO8	Parking in a public park after 11:00 p.m. and before 5:00 a.m.
LO13	Prohibited off-road vehicular traffic
	Other violations in any city parks

The penalties for level 3 parking violations are as follows:

If paid within 7 days	If paid after 7 days but before 14 days	If paid after 14 days but before 30 days	If paid after 30 days
\$20.00	\$40.00	\$60.00	\$80.00

(2.4) *Level 4 parking violations.*

Code §92-71(1)	Offense
LO5	Parking within 50 feet of a public boat launch

The penalties for level 4 parking violations are as follows:

If paid within 7 days	If paid after 7 days but before 14 days	If paid after 14 days but before 30 days	If paid after 30 days
\$55.00	\$65.00	\$75.00	\$85.00

(2.5) Any other violation of the parking provisions which are not listed in the above schedules shall be considered level 2 parking violations and shall carry the penalties set forth above for level 2 violations, except that:

- a) Code § 92-71(1)(s)(t)(u). Spaces for disabled persons. Unlawful parking in a space reserved for persons with disabilities as defined in applicable state law shall carry a minimum of \$105.00, which shall increase to \$210.00 after the first seven days after the violation, and \$315.00 after 14 days; and
- b) Code § 92-71(1)(aa). Fire lane. Unlawful parking in a fire lane shall carry a minimum of \$30.00, which shall increase to \$60.00 after the first seven days after the violation and \$90.00 after 14 days and \$120.00 after 30 days.

This ordinance adopted: March 22, 2016

AYES: Johnson, Gawron, Hood, Warren, German, Rinsema-Sybenga, and Turnquist

NAYS: None

ABSENT: None

Adoption Date: March 22, 2016

Effective Date: April 11, 2016

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Second Reading: March 22, 2016

CITY OF MUSKEGON

By: _____
Ann Marie Meisch, MMC
City Clerk