

GRAND TRAVERSE COUNTY
WINTER PARKING ORDINANCE
ORDINANCE No. 12

PREAMBLE

The Board of Commissioners of the County of Grand Traverse has determined that the health, safety, and the welfare of the inhabitants of the County would be served by prohibiting the parking of any vehicle upon the public roadway and shoulders in Grand Traverse County during the winter season. The parking of vehicles on public roadways or shoulders during the winter season causes undue interference with the free movement of traffic and snow removal by creating hazardous and dangerous conditions.

Section I: Name

This ordinance shall be known and cited as: "Grand Traverse County Winter Parking Ordinance, Ordinance No. 12."

Section II: Purpose

The purpose of this ordinance is to prohibit the parking of motor vehicles on public roadways and shoulders of Grand Traverse County during the winter season, December 1 to March 31 of the following year, between the hours of 12:00 a.m. (midnight) and 8:00 a.m. and snow emergencies, in order to facilitate snow removal, general highway maintenance and to eliminate obstruction, hazardous and undue interference with the free movement of traffic caused by the parking of vehicles upon the public highways.

Section III: Definitions

- A. "Highway or street" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is opened to the use of the public for purposes of vehicular traffic.
- B. "Motor vehicle" shall mean every vehicle which is self-propelled.
- C. "Parking" shall mean standing a vehicle, whether occupied or not, upon a roadway or shoulder, when not loading or unloading except when making necessary repairs.
- D. "Roadway" shall mean that portion of highway improved, designed, or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately, but not to all such roadways collectively.
- E. "Shoulder" shall mean that portion of the highway contiguous to the roadway

generally extending the contour of the roadway, not designed for vehicular traffic but maintained for the temporary accommodation of disabled or stopped vehicles otherwise permitted on the roadway.

F. "Vehicle" shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway.

Section IV: Regulations

A. Prohibition

1. No person shall park any vehicle in or upon a roadway or shoulder of a roadway or street in Grand Traverse County from December 1 to March 31 of the following year between the hours of 12:00 a.m. (Midnight) and 8:00 a.m. and during snow emergencies.
2. In a prosecution for violation of this ordinance proof that a particular vehicle described in the citation, complaint or warrant was parked in violation of this ordinance, together with proof, by verifying ownership of the vehicle with the Secretary of State, that the defendant named in the citation, complaint or warrant was at the time of the violation the registered owner of the vehicle, creates in evidence a presumption that the registered owner of the vehicle was the person who parked the vehicle at the place where, and for the time during which, the violation occurred.
3. In a prosecution for violation of this ordinance involving a leased motor vehicle, proof that the particular vehicle described in the citation or complaint, or warrant was used in the violation, together with proof that the defendant named in the citation, complaint, or warrant was the leasee of the vehicle at the time of the violation, constitutes in evidence a presumption that the leasee of the vehicle, not the registered owner, was the person who parked or placed the vehicle at the place, and for the time during which, the violation occurred.

B. Signs

1. The State Transportation Commission with respect to state highways and the Grand Traverse County Road Commission with respect to county roads, acting jointly with the Director of the Department of the State Police, shall erect such signs prohibiting the parking of vehicles on a roadway or shoulder of a highway during the winter season from December 1 to March 31 of the following year between the hours of 12:00 a.m. (midnight) and 8:00 a.m. and snow emergencies.
2. Such signs shall be erected at the corporate limits of the county on state highways and main county roads or as otherwise necessary or required by law. The signs shall be official signs and state that a person shall not park a

vehicle in violation of the restrictions stated on the signs.

3. The signs shall be installed only after a proper traffic order is filed with the County Clerk.

Section V: Penalty

A person who violates this ordinance shall be subject to a fine only of not more than \$25.00 for first offense, \$50.00 for second offense, \$75.00 for third offense and \$100.00 for fourth and each additional offense plus costs of prosecution.

Section VI: Miscellaneous

- A. This ordinance, as amended and restated, shall take effect thirty (30) days after publications as required by law. All ordinances or parts of ordinances in conflict with any of the provision of this ordinance are hereby repealed.
- B. This ordinance shall not supersede any existing city or village authority related to parking of motor vehicles on public roads, but shall be in addition to, and not in conflict with all other laws and ordinances respecting street and road numbering.
- C. The County Clerk shall cause an annual notice to be published in one or more newspapers of general circulation in Grand Traverse County on at least two occasions within four weeks of November 15 that this ordinance exists, and which notice shall at least contain the language of Sections IV, A. 1., and V of this ordinance.
- D. If the County Clerk fails to publish the notices as required in this Section, or the County Road Commission or other authorized state or local agency fails to post all required signs regarding the existence and applicability of this ordinance shall make this ordinance unenforceable.
- E. The provisions of this ordinance are hereby declared to be severable, and if any clause, sentence, word, section, or provision is declared void or unenforceable for any reason by a court of competent jurisdiction the remaining portions of said ordinance shall remain in force.



Chairperson Board of Commissioners
County of Grand Traverse

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