

ORDINANCE NO. 10

AN ORDINANCE TO REGULATE AND CONTROL THE PARKING OF MOTOR VEHICLES AND VEHICLES UPON THE PUBLIC STREETS AND HIGHWAYS IN THE COUNTY OF ALGER FOR THE PURPOSE OF PRESERVING AND MAINTAINING PUBLIC SAFETY AND WELFARE.

THE COUNTY OF ALGER, A MICHIGAN MUNICIPAL CORPORATION, ACTING BY AND THROUGH ITS BOARD OF COMMISSIONERS, DOES HEREBY ORDAIN:

Section 1. PURPOSE OF ORDINANCE:

The purpose of this ordinance is to regulate and control the parking of motor vehicles and vehicles upon the public streets and highways in the County of Alger during the winter months to facilitate the removal of snow from streets and highways.

Section 2. LEGAL REFERENCE:

This ordinance is adopted pursuant to and in accordance with the provisions of Act 300 of the Public Acts of 1949, as amended.

Section 3. DEFINITIONS:

(a) "Motor Vehicle" means every vehicle which is self-propelled.

(b) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except for devices moved by human power or used exclusively upon stationary rails or tracks.

(c) "Street or Highway" means the entire width between the boundary lines of every publicly maintained way when any part thereof is open to the use of the public for purposes of vehicular travel.

(d) "Person" means every natural person, firm, co-partnership, association, or corporation and their legal successors.

Section 4. PROHIBITION:

No person shall hereafter park any motor vehicle or other vehicle upon any of the public streets or highways located in the County of Alger at any time when there is snow situated on the ground or on said streets or highways during the period between November 15 of each year and April 15 of each succeeding year thereafter between the hours of 3:00 a.m. and 7 a.m., or any period which includes a time of seriously restricted visibility. Times of "seriously restricted visibility" shall be those times declared so by the Alger County Sheriff's Department or the Alger County Road Commission and properly advertised as such.

Section 5. POSTING OF SIGNS:

The County shall cause to be posted on all highways and streets at the corporate limits of the County of Alger, signs approximately 3-feet by 4-feet sufficiently legible as to be seen by an ordinarily observant person giving notice of this ordinance relating to parking during the periods above-mentioned.

Section 6. ENFORCEMENT:

Any police officer upon discovery of a motor vehicle or vehicle parked contrary to the provisions of Section 4 of this ordinance

may cause said vehicles to be impounded and removed from said highway or street and stored at any safe place or convenient location and the owner of such vehicle shall be liable for all costs or removal and storage of said vehicle, which costs shall be a lien on said vehicle.

Section 7. LEGAL EFFECT:

This ordinance shall not supersede or have any effect upon any existing winter overnight parking of motor vehicle ordinance that is presently in effect in the City of Munising or any other municipality located in Alger County.

Section 8. PENALTIES:

Every person convicted of a violation of any provision of this ordinance shall be punished by a fine not to exceed one hundred (\$100.00) dollars, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

Section 9. SEVERABILITY:

The sections and provisions of this ordinance are declared to be severable, and any portion which is declared to be unconstitutional or inoperative for any reason shall in no way effect the other provisions of this ordinance.

Section 10. EFFECTIVE DATE:

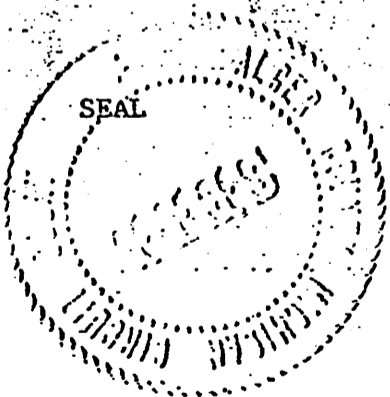
This ordinance shall become effective after having been published at least once in a newspaper of general circulation in Alger County and approved by the Governor of the State of Michigan, or as otherwise provided by law.

ADOPTED the _____ day of _____, 1979.

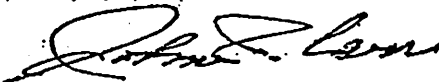
ALGER COUNTY BOARD OF COMMISSIONERS

By: _____
ARTHUR C. SWAJANEN, Chairman

By: _____
JOHN P. CARR, Alger County Clerk



THE FOREGOING IS A TRUE COPY OF PROPOSED ORDINANCE NO. 10 THAT WAS RECOMMENDED FOR ADOPTION AND SENT TO THE GOVERNOR OF THE STATE OF MICHIGAN FOR APPROVAL BY THE ALGER COUNTY BOARD OF COMMISSIONERS WHILE MEETING IN REGULAR SESSION ON FEBRUARY 13, 1979.


JOHN P. CARR, COUNTY CLERK AND CLERK OF THE ALGER COUNTY BOARD OF COMMISSIONERS