

ORDINANCE NO. 346

VILLAGE OF SPRING LAKE PARKING ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES ADOPTED BY THE VILLAGE OF SPRING LAKE, OTTAWA COUNTY, STATE OF MICHIGAN, AMENDING CERTAIN PROVISIONS OF CHAPTER 74 CONCERNING TRAFFIC AND MOTOR VEHICLES, AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

THE VILLAGE OF SPRING LAKE, COUNTY OF OTTAWA AND STATE OF MICHIGAN ORDAINS:

Section 1. Amend Article 3, Division 1 of Chapter 74. Chapter 74, Article 3, Division 1 of the Code of Ordinances adopted by the Village of Spring Lake, Ottawa County, State of Michigan, is hereby amended to restate Section 74-89 as follows:

Sec. 74-89. Parking in Public Places.

(a) It shall be unlawful for any person who owns, leases or operates a motor vehicle, mobile home, motor home, recreational vehicle, boat, boat trailer or bus, whether licensed or not, to park or stand such motor vehicle in the parkway area between a sidewalk and the curb of a street or within the boulevard area of such street, but within the public right of way area of such street, except under the following circumstances:

- (i) The owner of a single-family dwelling which is not situated on a street that has curb and gutter may apply to the Village for a license to park one vehicle within the public right of way;
- (ii) The space on which the motor vehicle may be parked must be hard surface which is defined as concrete, asphalt, brick pavers, a compacted aggregate such as RAP (which must include a border);
- (iii) The parking space within the public right of way must be contiguous with the street;
- (iv) The motor vehicle utilizing the approved parking space must park parallel with the roadway (and not perpendicular) with the passenger side of the vehicle adjacent to the curb or sidewalk;
- (v) No more than one motor vehicle may park in any approved parking space;

- (vi) The individual who obtains the license from the Village must maintain the approved parking space in conformance with the Ordinances of the Village of Spring Lake, and may use gravel or dolomite as a product to improve the area;
- (vii) The approved parking space must be weed free;
- (viii) The license will not be issued until the parking space is improved and inspected by the Village of Spring Lake;
- (ix) The license shall not expire, however, it may not be transferred to anyone other than the original licensee;
- (x) The license fee which will be imposed shall be established yearly in conjunction with the annual budget;
- (xi) The winter parking restrictions set forth in Section 74-82 shall apply to all licenses obtained under this section;
- (xii) A waiver to the license requirement will be granted by the Village Manager to those individuals who have a handicapped parking permit from the State of Michigan;
- (xiii) A waiver to the license requirement may be granted by the Village Council to property owners who do not have the ability to create a driveway based on topography or unusual site restrictions;
- (xiv) Licenses will not be required in the following circumstances; when parking on the roads immediately adjacent to Tanglefoot Park, when parking near religious institutions on Sundays between 9am and 12pm; or parking in the vicinity of Hammond Street during sporting events.

(b) It shall be unlawful for any person who owns, leases or operates a motor vehicle, except as a passenger-type vehicle, or light truck under ten-ton rated, to park or stand such motor vehicle on any public street, alley or public parking area overnight.

(c) It shall be unlawful for any person who owns or leases a boat, boat trailer or any other trailer, including a semitrailer, whether attached to a motor vehicle or not, to park or stand such boat or trailer in any public street, alley, or public parking area overnight.

(d) It shall be unlawful for any person who owns, operates or leases a mobile home, bus, motor home, or recreational vehicle to park or stand such mobile home, but

motor home or recreational vehicle in any public street, alley or public parking area overnight.

(e) It shall be unlawful for any person who owns, operates or leases a commercial or industrial motor vehicle in excess of three-fourths ton to be parked or stored on any public street, alley or public parking area within any residential zoning district; however, this subsection shall not prevent temporary parking of not to exceed eight hours' duration while engaged in a delivery, pickup or service call to the property where located.

(f) It shall be unlawful for any person who owns, operates or leases a motor vehicle or trailer to park, stand or store such motor vehicle or trailer while in a public park on a grassy or lawn area or in an area not marked or designated for vehicle parking or trailers.

(g) Citations will be issued to any individual in violation of subsection (a), (b), (c), (d), (e), or (f) of this ordinance;

(h) Any individual who is the registered owner of a motor vehicle, boat, or trailer as disclosed by the registration records of the state, province, or country where it is licensed is deemed to be responsible for the locating of such motor vehicle, boat or trailer in violation of this section; and whether such owner has knowledge of the unlawful locating of such motor vehicle, boat or trailer is irrelevant, the violation of any such subsection being a civil infraction by the owner; provided, the lessee of a leased vehicle having a lease term in excess of one month shall in all cases be deemed the owner of such motor vehicle for purposes of this section. The lessor of a leased vehicle having a lease term of one month or less, or if a daily or weekend rental vehicle, shall in such cases be deemed the owner of such motor vehicle for purposes of this section.

(i) A separate offense shall be deemed committed upon each day during or when a violation of this section occurs or continues.

Section 2. Administrative Liability. No officer, agent, or employee of the Village shall be personally liable for any damages the Village may accrue to any person as a result of any act required or permitted in the discharge of duties under and in the enforcement of this Ordinance.

Section 3. Severability and Captions. This Ordinance and its various sections, subsections, sentences, phrases, and clauses are declared to be severable. If any section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected. Pronouns shall be read as masculine, feminine, or neuter as may be appropriate. Captions appearing at the beginning of any section shall not be deemed as part of this Ordinance and shall have no independent significance.

Section 4. Repeal. All ordinances or parts of ordinances which are in conflict in whole or in part with any of the provisions of this Ordinance as of its effective date are repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall take effect upon publication.

VILLAGE OF SPRING LAKE

Dated: April 24, 2017

By: _____

Joyce Hatton

Its: President

By: _____

Marvin Hinga

Its: Clerk