

ORDINANCE NO. 09-14

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CHAPTER 55
ARTICLE I-XVI

AN ORDINANCE to amend Chapter 55 of the 1984 Detroit City Code, *Traffic and Motor Vehicles*, by changing the name of the Chapter to *Traffic and Vehicles*; by repealing Article I, *In General*, which consists of Sections 55-1-1 and 55-1-17 and adding a new Article I, titled *Generally*, which shall consist of Division 1, *Administration*, containing Sections 55-1-1 through 55-1-17, Division 2, *Violations and Penalties*, containing Sections 55-1-31 through 55-1-33, Division 3, *Parking Violation Notices at Bureau and Parking Citations at Court*, containing Sections 55-1-41 through 55-1-49, Division 4, *Parking Scofflaw Program for Failure to Answer Parking Violations Notices and Citations*, containing Sections 55-1-61 through 55-1-73, and Division 5, *Citations at Court for Violations Under Chapter Not Involving Parking*, containing Sections 55-1-81 through 55-1-83; by repealing Article II, *Administration and Enforcement*, which consists of Division 1, *Generally*, containing Sections 55-2-1 through 55-2-9, Division 2, *Residential Parking Permit Areas*, containing Sections 55-2-10 through 55-2-15, Division 3, *Parking Violation Notices and Citations*, containing Sections 55-2-21 through 55-2-28, Division 4, *Civil Infractions and Misdemeanors*, containing Sections 55-2-30 through 55-2-33, Division 5, *Parking Violations Bureau*, containing Sections 55-2-41 and 55-2-42, Division 6, *Parking Scofflaw Program*, containing Section 55-2-44, and Division 7, *Administrative Hearings Tribunal*, containing Section 55-2-51, and adding a new Article II, *Enforcement*, which shall consist of Division 1, *Voluntary Bicycle Registration*, containing Sections 55-2-1 through 55-2-8, Division 2, *Residential Parking Permits*, containing Sections 55-2-21 through 55-2-26, Division 3, *Snow Emergency Routes*, containing Sections 55-2-41 through 55-2-47, Division 4, *Impoundment of Vehicles*, containing Sections 47-2-61 through 55-2-71, and Division 5, *Police Authorized Towing*, containing Sections 55-2-81 through 55-2-89; by repealing Article III, *Licensing, Registration and Insurance*, which consists of Sections 55-3-1 through 55-3-10 and adding a new Article III, *Michigan Vehicle Code and Michigan Uniform Traffic Code*, which shall consist of Sections 55-3-1 through 55-3-3; by repealing Article VI, *Operation of Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-4-1 through 55-4-30, Division 2, *Speed Regulations*, containing Sections 55-4-39 through 55-4-46, Division 3, *Turning Movements*, containing Sections 55-4-58 through 55-4-64, and Division 4, *Operating a Vehicle While Intoxicated by Alcohol, a Controlled Substance or a Combination Thereof*, containing Sections 55-4-70 through 55-4-82 and adding a new Article IV, *Local Regulations*, which shall consist of Division I, *Generally*, containing Section 55-4-1, Division 2, *Operation of Bicycles*, containing Sections 55-4-11 through 55-4-13, Division 3, *Stopping, Standing and Parking*, containing Sections 55-4-31 through 55-4-45, Division 4, *Parking Meters*, containing Sections 55-4-61 through 55-4-68, Division 5, *Size, Weight and Load of Vehicles*, Subdivision A, *Generally*, containing Sections 55-4-81 through 55-4-82, and Subdivision B, *Weights, Loads and Wheel Pressures*, containing Sections 55-4-91 through 55-4-93, and Division 6, *Idling Prohibition for Commercial Vehicles Exceeding Gross Vehicle Weight Rating of 8,500 Pounds*, containing Sections 55-4-101 through 55-4-104, and Division 7, *Miscellaneous Regulations*, containing Sections 55-4-121 through 55-4-132; by repealing Article V, *Traffic Control Devices*, which consists of Sections 55-5-1 through 55-5-11; by repealing Article VI, *Stopping, Standing and Parking*, which consists of Division 1, *Generally*, containing Sections 55-6-1 through 55-6-32, Division 2, *Parking Meters*, containing Sections 55-6-44 through 55-6-54, Division 3, *Parking of Inoperable Vehicles*, containing Sections 55-6-66 through 55-6-72, Division 4, *Abandoned Vehicles*, containing Sections 55-6-84 through 55-6-90, Division 5, *Idling Prohibition for Commercial Vehicles Exceeding Gross Vehicle Weight Rating of 8,500 Pounds*, containing Sections 55-6-91 through 55-6-94; by repealing Article VII, *Equipment on Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-7-1 through 55-7-16, Division 2, *Lights*, containing Sections 55-7-28 through 55-7-44, and Division 3, *Noise Regulations*, containing Sections 55-7-56 through 55-7-61; by repealing Article VIII, *Size, Weight and Load of Vehicles*, which consists of Division 1, *In General*, containing Sections 55-8-1 through 55-8-9, Division 2, *Width, Height and Length*, containing Sections 55-8-11 through 55-8-18, and Division 3, *Weight, Loads and Wheel*

Pressure, containing Sections 55-8-21 through 55-8-29; by repealing Article IX, *Motorcycles, Motor-driven Cycles and Bicycles*, which consists of Division 1, *Generally*, containing Sections 55-9-1 through 55-9-16, Division 2, *Motorcycle Clubs*, containing Sections 55-9-28 through 55-9-30, and Division 3, *Voluntary Bicycle Registration*, containing Sections 55-9-41 through 55-9-49; by repealing Article X, *School Busses*, which consists of Sections 55-10-1 through 55-10-3; by repealing Article XI, *Ice Cream Trucks*, which consists of Sections 55-11-1 through 55-11-9; by repealing Article XII, *Pedestrians' Rights and Duties*, which consists of Division 1, *In Generally*, containing Sections 55-12-1 through 55-12-4, Division 2, *White Canes for Blind Persons*, containing Sections 55-12-25 through 55-12-28; by repealing Article XIII, *Accidents*, which consists of Sections 55-13-1 through 55-13-7; by repealing Article XIV, *Impoundment of Vehicles*, which consists of Sections 55-14-1 through 55-14-11; by repealing Article XV, *Police Authorized Towing*, which consists of Sections 55-15-1 through 55-15-8; by repealing Article XVI, *Snow Emergency Routes*, which consists of Sections 55-16-1 through 55-16-8; to repeal the current Chapter 55 in its entirety; to adopt and incorporate by reference the Michigan Vehicle Code, being MCL 257.1 through MCL 257.923, in accordance with Section 3(k) of the Michigan Home Rule City Act; to adopt and incorporate by reference the Michigan Uniform Traffic Code for Cities, Townships and Villages, being R 28.1001 *et seq.*, of the Michigan Administrative Code, in accordance with Section 1 of the Michigan Uniform Traffic Code being MCL 257.951; and to reenact those provisions in current Chapter 55, which, under the police powers of the City, are tailored to the needs of the City of Detroit.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 55 of the 1984 Detroit City Code, *Traffic and Motor Vehicles*, be amended by changing the name of the Chapter to *Traffic and Vehicles*; by repealing Article I, *In General*, which consists of Sections 55-1-1 and 55-1-17 and adding a new Article I, titled *Generally*, which shall consist of Division 1, *Administration*, containing Sections 55-1-1 through 55-1-17, Division 2, *Violations and Penalties*, containing Sections 55-1-31 through 55-1-33, Division 3, *Parking Violation Notices at Bureau and Parking Citations at Court*, containing Sections 55-1-41 through 55-1-49, Division 4, *Parking Scofflaw Program for Failure to Answer Parking Violations Notices and Citations*, containing Sections 55-1-61 through 55-1-73, and Division 5, *Citations at Court for Violations Under Chapter Not Involving Parking*, containing Sections 55-1-81 through 55-1-83; by repealing Article II, *Administration and Enforcement*, which consists of Division 1, *Generally*, containing Sections 55-2-1 through 55-2-9, Division 2, *Residential Parking Permit Areas*, containing Sections 55-2-10 through 55-2-15, Division 3, *Parking Violation Notices and Citations*, containing Sections 55-2-21 through 55-2-28, Division 4, *Civil Infractions and Misdemeanors*, containing Sections 55-2-30 through 55-2-33, Division 5, *Parking Violations Bureau*, containing Sections 55-2-41 and 55-2-42, Division 6, *Parking Scofflaw Program*, containing Section 55-2-44, and Division 7, *Administrative Hearings Tribunal*, containing Section 55-2-51, and adding a new Article II, *Enforcement*, which shall consist of Division 1, *Voluntary Bicycle Registration*, containing Sections 55-2-1 through 55-2-8, Division 2, *Residential Parking Permits*, containing Sections 55-2-21 through 55-2-26, Division 3, *Snow Emergency Routes*, containing Sections 55-2-41 through 55-2-47, Division 4, *Impoundment of Vehicles*, containing Sections 55-2-61 through 55-2-71, and Division 5, *Police Authorized Towing*, containing Sections 55-2-81 through 55-2-89; by repealing Article III, *Licensing, Registration and Insurance*, which consists of Sections 55-3-1 through 55-3-10 and adding a new Article III, *Michigan Vehicle Code and Michigan Uniform Traffic Code*, which shall consist of Sections 55-3-1 through 55-3-3; by repealing Article VI, *Operation of Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-4-1 through 55-4-30, Division 2, *Speed Regulations*, containing Sections 55-4-39 through 55-4-46, Division 3, *Turning Movements*, containing Sections 55-4-58 through 55-4-64, and Division 4, *Operating a Vehicle While Intoxicated by Alcohol, a Controlled Substance or a Combination Thereof*, containing Sections 55-4-70 through 55-4-82 and adding a new Article IV, *Local Regulations*, which shall consist of Division I, *Generally*, containing Section 55-4-1 through 55-4-3 and, Division 2, *Operation of Bicycles*, containing Sections 55-4-11 through 55-4-13, Division 3, *Stopping, Standing and Parking*, containing Sections 55-4-31 through 55-4-45, Division 4, *Parking Meters*, containing Sections 55-4-61 through 55-4-68, Division 5, *Size, Weight and Load of Vehicles*, Subdivision A, *Generally*, containing Sections

55-4-81 through 55-4-82, and Subdivision B, *Weights, Loads and Wheel Pressures*, containing Sections 55-4-91 through 55-4-93, and Division 6, *Idling Prohibition for Commercial Vehicles Exceeding Gross Vehicle Weight Rating of 8,500 Pounds*, containing Sections 55-4-101 through 55-4-104, and Division 7, *Miscellaneous Regulations*, containing Sections 55-4-121 through 55-4-132; by repealing Article V, *Traffic Control Devices*, which consists of Sections 55-5-1 through 55-5-11; by repealing Article VI, *Stopping, Standing and Parking*, which consists of Division 1, *Generally*, containing Sections 55-6-1 through 55-6-32, Division 2, *Parking Meters*, containing Sections 55-6-44 through 55-6-54, Division 3, *Parking of Inoperable Vehicles*, containing Sections 55-6-66 through 55-6-72, Division 4, *Abandoned Vehicles*, containing Sections 55-6-84 through 55-6-90, Division 5, *Idling Prohibition for Commercial Vehicles Exceeding Gross Vehicle Weight Rating of 8,500 Pounds*, containing Sections 55-6-91 through 55-6-94; by repealing Article VII, *Equipment on Vehicles*, which consists of Division 1, *Generally*, containing Sections 55-7-1 through 55-7-16, Division 2, *Lights*, containing Sections 55-7-28 through 55-7-44, and Division 3, *Noise Regulations*, containing Sections 55-7-56 through 55-7-61; by repealing Article VIII, *Size, Weight and Load of Vehicles*, which consists of Division 1, *In General*, containing Sections 55-8-1 through 55-8-9, Division 2, *Width, Height and Length*, containing Sections 55-8-11 through 55-8-18, and Division 3, *Weight, Loads and Wheel Pressure*, containing Sections 55-8-21 through 55-8-29; by repealing Article IX, *Motorcycles, Motor-driven Cycles and Bicycles*, which consists of Division 1, *Generally*, containing Sections 55-9-1 through 55-9-16, Division 2, *Motorcycle Clubs*, containing Sections 55-9-28 through 55-9-30, and Division 3, *Voluntary Bicycle Registration*, containing Sections 55-9-41 through 55-9-49; by repealing Article X, *School Busses*, which consists of Sections 55-10-1 through 55-10-3; by repealing Article XI, *Ice Cream Trucks*, which consists of Sections 55-11-1 through 55-11-9; by repealing Article XII, *Pedestrians' Rights and Duties*, which consists of Division 1, *In General*, containing Sections 55-12-1 through 55-12-4, Division 2, *White Canes for Blind Persons*, containing Sections 55-12-25 through 55-12-28; by repealing Article XIII, *Accidents*, which consists of Sections 55-13-1 through 55-13-7; by repealing Article XIV, *Impoundment of Vehicles*, which consists of Sections 55-14-1 through 55-14-11; by repealing Article XV, *Police Authorized Towing*, which consists of Sections 55-15-1 through 55-15-8; by repealing Article XVI, *Snow Emergency Routes*, which consists of Sections 55-16-1 through 55-16-8, to read as follows:

CHAPTER 55. TRAFFIC AND VEHICLES

ARTICLE I. GENERALLY

DIVISION 1. ADMINISTRATION

Sec. 55-1-1. Definitions: a-c.

For purposes of this chapter, the following words and phrases, which have not been incorporated by reference through Article III of this chapter, shall have the meanings respectively ascribed to them by this section:

Alley means a public way within a block that is primarily intended for service and access to abutting property.

Block means a tract of land bounded by streets or by a combination of streets, public parks, cemeteries, railroad rights-of-way, harbor lines, centerlines of waterways, or corporate boundary lines of the City.

Commercial street means any portion of any street or highway that is not a residential street.

Commercial vehicle means 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.

Sec. 55-1-2. Definitions: d-f.

For purposes of this chapter, the following words and phrases, which have not been incorporated by reference through Article III of this chapter, shall have the meanings respectively ascribed to them by this section:

Driveway means the portions of the zoning lot that has been designated, designed, and improved to afford a suitable means and a direct route for vehicular access to the private parking garage or to a rear yard parking area, but does not include other portions of the zoning lot, whether improved or not improved, that are not within the most direct line or route leading from the access street to the private parking garage or rear yard parking area.

Duly authorized representative means a person or an attorney who has the permission of the registered owner of a vehicle or vehicles to settle, through negotiations and/or admission(s) of responsibility, and to make payment of the amount due and owing by the registered owner regarding any outstanding parking violation notice(s) or citation(s).

Sec. 55-1-3. Definitions: g-i.

For purposes of this chapter, the following words and phrases, which have not been incorporated by reference through Article III of this chapter, shall have the meanings respectively ascribed to them by this section:

Hazardous material means explosives, flammable gas, flammable compressed gas, nonflammable compressed gas, flammable liquid, oxidizing material, poisonous gas, poisonous liquid, irritating material, etiologic material, radioactive material, corrosive material, or liquified petroleum gas.

Hybrid vehicle means a vehicle that uses an on-board rechargeable energy storage system (RESS) and a fuel-base power source for vehicle propulsion.

Immobilization means, under Article I of this chapter, the placement of a restraint on a vehicle to prevent its operation.

Impoundment means, under Article I of this chapter, the relocation of a vehicle by towing to a pound for storage.

Sec. 55-1-4. Definitions: j-m.

For purposes of this chapter, the following words and phrases, which have not been incorporated by reference through Article III of this chapter, shall have the meanings respectively ascribed to them by this section:

Limousine means a chauffeur-driven motor vehicle that is designed with seating capacity for 15 persons including the driver, is not equipped with a taximeter, and is operated at hourly rates established in accordance with Section 58-2-6 of this Code.

Loop district means the area bounded on the south by the south line of East Jefferson Avenue and West Jefferson Avenue; on the east by the east line of St. Antoine Street; on the north by the north line of Columbia Street; and on the west by the west line of First Street.

Major off-site parking generator means a casino, hospital, institution, stadium, transportation center, or such other facility that operates in the City and that, as a result of persons traveling to and from the site in motor vehicles, creates a shortage of on-street parking in the area which prevents area residents from parking at their residences.

Sec. 55-1-5. Definitions: n-p.

For purposes of this chapter, the following words and phrases, which have not been incorporated by reference through Article III of this chapter, shall have the meanings respectively ascribed to them by this section:

Pickup truck means a four-wheel motor vehicle having an enclosed front cab and open body with low sides and a tailgate, which may have an enclosure, cap, cover, or box over the rear exterior bed.

Pickup zone means that portion of the street, thoroughfare or highway adjacent to the curb or curb line where motor vehicles may park for the purpose of loading or unloading merchandise or materials of a heavy or bulky nature only at adjacent commercial establishments for periods not to exceed 15 minutes at any one time.

Police authorized tow means the towing, carrying, pushing or otherwise transporting for a fee by a tower or towers summoned by the police, any motor vehicle, except trailers and truck tractors, that has been wrecked or disabled in any manner, or any vehicle subject to removal under Article II, Division 4, of this chapter, including but not limited to abandoned or illegally parked vehicles and vehicles interfering with emergency activities or impeding traffic from the traveled portion of a street, highway or freeway.

Private passenger vehicle means every motor vehicle, other than a bus, commercial vehicle, or taxicab, which is designed, used, or maintained primarily for the transportation of persons.

Sec. 55-1-6. Definitions: q-s.

For purposes of this chapter, the following words and phrases, which have not been incorporated by reference through Article III of this chapter, shall have the meanings respectively ascribed to them by this section:

Recreational equipment means boats, snowmobiles, off-road vehicles, dune buggies, jet skis, or other similar items.

Residence district means the territory contiguous to a highway, where the frontage on such highway for a distance of 300 feet or more is mainly occupied by dwellings, or by dwellings and buildings, that are not in use for business.

Residential parking permit area means:

(1) An area that contains a minimum of six contiguous block faces, or three blocks facing each other or any contiguous combination thereof; or

(2) An area that contains less than a minimum of six contiguous block faces, or three blocks facing each other or any contiguous combination thereof, which has been approved by the City Council as a residential parking permit area, and consists primarily of residential dwellings where on-street parking is regulated, pursuant to Sections 55-2-21 through 55-2-26 of this Code, to provide residents of such designated areas with reasonable access to on-street parking spaces at their residences.

Residential street means any portion of any street or highway that is adjacent to or abutting any land that is either zoned R1, R2, R3, R4, R5, R6, or Residential PD in the Zoning Ordinance of the City, being Chapter 61 of this Code, or is developed with a single-family house, two-family house, town house, multiple-family dwelling, or rooming house.

Restraint means a device that is used to immobilize a vehicle such as a "boot" or a "Denver boot."

Sec. 55-1-7. Definitions: s-z.

For purposes of this chapter, the following words and phrases, which have not been incorporated by reference through Article III of this chapter, shall have the meanings respectively ascribed to them by this section:

Service drive means a street or roadway having the primary function of providing access to freeway entrances and exits.

Standing means the standing of a passenger vehicle upon a street with an operator in the driver's seat, or the standing of a commercial vehicle upon a street without an operator in the driver's seat for the purpose of loading or unloading of merchandise, material or goods of any nature, but only for the reasonable length of time that is actually required to effect such loading or unloading.

Stop intersection means an intersection at one or more entrances to which vehicles are required by stop signs to stop before entering.

Stopping means the stopping of a vehicle to load or unload passengers for a period not to exceed three minutes, with the operator remaining in the driver's seat.

Through street means a street or portion thereof at the entrances of which vehicles from intersecting streets are required, by standing stop signs, to stop before entering or crossing.

Sec. 55-1-8. Responsibilities of traffic handling; City Council powers unabridged.

(a) The Department of Public Works shall have centralized and complete responsibility for the safe and expeditious handling of all traffic within the City and shall have a paramount interest in all traffic problems of the City.

(b) Nothing in this division shall be construed as authority to lessen or abridge the legislative or administrative powers of the City Council or the use of such powers by the Body in enacting or approving all measures as to how traffic shall be regulated in the City.

Sec. 55-1-9. Authority of Department of Public Works to adopt regulations.

(a) In accordance with Section 7-401 of the Charter and this Code, the Department of Public Works for safe and efficient use of streets shall:

(1) Designate the streets or parts of streets upon which there shall be no stopping, standing, or parking of vehicles or upon which there shall be parking for a limited time;

(2) Exclude or restrict stopping, standing, or parking on designated streets or parts of streets during certain hours;

(3) Permit angle parking in designated areas;

(4) Establish parking meter zones;

(5) Establish one-way streets and other special routine of traffic;

(6) Establish special *prima facie* speed limits;

(7) Cause limit lines to be marked upon pavements and sidewalks for the direction of pedestrians and operators;

(8) Prohibit left-hand or right-hand turns by vehicles at designated street corners;

(9) Designate fire routes and prohibit standing or parking thereon upon certification by the Fire Commissioner, in consultation with the Fire Chief, to the Department of Public Works that such highway is specifically required for use in attending fires;

(10) Close any street, highway, alley or other public property or any portion of the same or restrict the use thereof when required by public safety and convenience;

(11) Designate intersections that shall be known as stop intersections;

(12) Designate through streets;

(13) Designate commercial routes and prohibit commercial traffic from using certain highways or parts thereof;

(14) Designate loading zones to permit the standing of commercial vehicles for loading and unloading merchandise and materials;

(15) Designate building entrances, theater entrances, church entrances, hotel entrances and other public entrances to permit the stopping of vehicles for the purpose of loading and unloading passengers;

(16) Designate pick-up zones, as defined in Section 55-1-5 of this Code, to permit the loading or unloading merchandise or materials of a heavy or bulky nature;

(17) Designate intersections at which vehicular traffic shall be required to yield the right-of-way at one or more entrances to such intersections; and

(18) Designate residential parking permit areas in the City.

(b) Regulations adopted in pursuance of this section shall be effective upon the erection of signs by or authorized by the Department of Public Works, sufficient in number to apprise the ordinarily observant person of the existence of the regulation upon the highway or in the district affected.

(c) If the rules and regulations adopted pursuant to the provisions of this section shall be effective for more than 30 days, then such rules and regulations shall be subject to the approval by resolution of the City Council, provided, that nothing in this section shall be construed as restricting the authority of the Chief of Police to establish emergency traffic regulations to be in effect for no longer than 30 days, giving immediate notice thereof to the Department of Public Works.

(d) All regulations and signs approved or adopted in accordance with the provisions of prior laws shall continue in force and effect until amended or changed.

Sec. 55-1-10. Traffic surveys and engineering investigations of traffic conditions; drawings and specifications for streets, alleys, and related facilities; master plan for streets and traffic facilities.

(a) The Department of Public Works shall conduct traffic surveys and engineering investigations of traffic conditions in the City for the purpose of determining what regulations are necessary for existing streets and what improvements or changes should be made, and shall review the provisions of this Code relating to traffic and streets and make recommendations for changes therein to the City Council.

(b) The Department of Public Works shall prepare general geometric drawings and specifications of all streets, alleys and related facilities in the City, showing all proposed improvements, changes or future needs, and, as soon as practicable, to develop, execute and maintain a master plan for the streets and traffic facilities and submit the plan to the Mayor and City Council, provided, that before such submission, it shall be reviewed by the Planning and Development Department for its effect, if any, on the Detroit Master Plan of Policies.

Sec. 55-1-11. Powers relative to traffic-control devices and other signs, signals and traffic-control devices.

(a) The Department of Public Works shall prepare geometric drawings and specifications of traffic-control devices and designate the type, location, and timing of such devices.

(b) The Department of Public Works shall install and maintain all traffic signs, markings, parking meters, and other traffic-control devices.

(c) The Department of Public Works shall establish regulations, general standards and specifications for the construction and maintenance of traffic control signals.

Sec. 55-1-12. Review and report on certain budget requests.

Prior to November 1st of each year, the Department of Public Works shall:

(1) Prepare a detailed breakdown of the budget requests for capital improvements covering traffic control devices for inclusion in the department's budget;

(2) Review and report on the department's street budget requests for capital improvements or major maintenance covering street, highway, alley or related construction, such as ramps and bridges, special assessment paving, street betterments and similar operations; and

(3) Review and report on the department's budget covering requests pertaining to snow and ice removal.

Sec. 55-1-13. Investigation of petitions relating to streets and traffic problems.

In addition to the authority under this division, the Department of Public Works shall investigate all petitions relating to streets and traffic problems, including, regulations and control devices, shall hold hearings thereon when requested or found necessary and shall render promptly a report to the Mayor and City Council with recommendation thereon and reasons therefor.

Sec. 55-1-14. Annual review of routes, stops, and schedules of all transit agencies.

The Department of Transportation shall review, at least once annually, the routes, transit stops, and schedules of all transit agencies for their effect on the City's traffic problems. The findings shall be submitted to the Mayor, City Council, and respective transit agency with recommendations, if any, for changes in routes and schedules.

Sec. 55-1-15. Police Department to furnish copies of chapter; Chief of Police may furnish posters.

The Police Department shall provide copies of the substance of this chapter, and rules and regulations adopted thereto, for free public distribution, including display posters when the Chief of Police determines that providing such posters will promote public safety.

Sec. 55-1-16. Parking Violations Bureau established; location; scope of authority.

(a) *Purpose.* Pursuant to Section 8395 of the Michigan Revised Judicature Act of 1961, being MCL 600.8395, a Parking Violations Bureau is hereby established to accept civil infraction admissions in parking violation cases originating within the City, and to collect and retain fines, penalties, and costs as prescribed by this chapter. The Parking Violations Bureau shall be under the supervision and control of the Municipal Parking Department.

(b) *Administration.* The Municipal Parking Department shall establish a convenient location for the Parking Violations Bureau, shall provide for the administration of the Bureau, and shall adopt rules and regulations for the operation thereof.

(c) *Scope.* All parking violation notices may be settled at the Parking Violations Bureau by either the registered owner or by a duly authorized representative as defined in Section 55-1-2 of this Code, provided, that any registered owner who denies responsibility for a parking violation notice may request that the same be filed as a citation in, and be adjudicated by, the court having jurisdiction thereof. Such request by the registered owner shall not prejudice or in any way diminish the rights, privileges, and protection accorded by law.

Sec. 55-1-17. Administrative Hearings Tribunal established.

(a) The City of Detroit shall establish an administrative hearings tribunal to conduct administrative hearings regarding the validity of the immobilization and/or the impoundment of vehicles under Sections 55-1-61 through 55-1-73 of this Code.

(b) The Mayor shall appoint independent hearings officers to conduct such hearings.

(c) The expenses associated with this tribunal shall be borne by the Parking Violations Bureau.

Secs. 55-1-18 — 55-1-30. Reserved.**DIVISION 2. VIOLATIONS AND PENALTIES****Sec. 55-1-31. Violation of chapter, civil infraction and misdemeanor penalties.**

(a) It shall be unlawful for any person to violate any provision of this Chapter.

(b) In accordance with Section 41 of the Michigan Home Rule City Act, being MCL 117.41, and Section 1-1-9 of this Code, it is a civil infraction for a person to violate a provision of this chapter unless that violation is declared to be a misdemeanor, or is listed in Section 55-1-33 of this Code.

(c) A violation of this chapter, which is designated as a civil infraction, is not a crime punishable by imprisonment or a penal fine. A civil infraction shall not be considered a lesser included offense of any criminal offense.

Sec. 55-1-32. Schedule of fines for parking violations.

In accordance with Section 9-509 of the Charter, the schedule of fines, of reductions for the prompt payment of fines, and of penalties for the late payment of fines, for parking violations are as follows:

<u>Violation</u>	<u>Violation Code</u>	<u>Fine</u>	<u>Fine When Paid Within 10 Days for All Vehicles</u>	<u>Fine When Paid After 30 Days for Vehicles Registered in Michigan</u>	<u>Fine When Paid After 30 Days for Vehicles Registered in Another State or Country</u>
Parked in prohibited area/no parking	801	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Improper parking	802	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Blocking alley	804.1	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00

Blocking driveway	804.2	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Blocking crosswalk	804.3	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Double parking	805.1	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Double standing	805.2	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Fire hydrant parking violation	805.3	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
No standing (anytime)	811.1	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Snow emergency violation	811.2	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Coach stop	811.3	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
No standing (a.m.)	812	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
No standing (p.m.)	813	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Overtime parking	814	\$ 20.00	\$10.00	\$ 40.00	\$ 70.00
Parking meter violation	821	\$ 20.00	\$10.00	\$ 40.00	\$ 70.00
Parking in area reserved for the handicapped	830	\$100.00	\$90.00	\$120.00	\$150.00
DPW street cleaning	835	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Unauthorized parking — Private property	840	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Unattended — Key in vehicle	860	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
No stopping	870	\$ 30.00	\$20.00	\$ 50.00	\$ 80.00
Vehicle and equipment specified in section 55-6-21	880	\$100.00	\$90.00	\$120.00	\$150.00

This schedule shall be posted at the Municipal Parking Department Parking Violations Bureau.

Sec. 55-1-33. Sections deemed to be misdemeanors; penalties.

(a) Violation of any of the following sections of this chapter is deemed to be a misdemeanor.

- (1) Sec. 55-1-47. Unlawful disposition of parking violation notices or citations.
- (2) Sec. 55-4-66. Deposit of slugs, device, or substitute in meters.
- (3) Sec. 55-4-67. Damage to or tampering with meters.
- (4) Sec. 55-1-72. Penalty for removal of restraint or movement of a vehicle after immobilization.
- (5) Sec. 55-1-83. Failure to answer a citation or notice to appear.
- (6) Sec. 55-4-91. City license or other permit required; exceptions; violation; penalty.
- (7) Sec. 55-4-128. Operation of snowmobiles prohibited in public places.
- (8) Sec. 55-4-129. Vendors' vehicles to be removed at request of police.
- (9) Sec. 55-4-132. Solicitation of towing services prohibited at the scene of accidents and emergencies.
- (10) Sec. 55-2-81 to 55-2-89. Police authorized towing.

(b) Unless another penalty is provided for in this chapter or through the Michigan Vehicle Code, being MCL 257.1 *et seq.*, a person convicted of a misdemeanor for a violation of this chapter shall be punished by a fine of not more than \$100.00, or by imprisonment for not more than 90 days, or both in the discretion of the court.

Secs. 55-1-34 — 55-1-40. Reserved.

**DIVISION 3. PARKING VIOLATION NOTICES AT BUREAU AND
PARKING CITATIONS AT COURT**

Sec. 55-1-41. Form; record of parking violations, notices and citations distributed.

(a) *Form of parking violation notices and citations.* Parking violation notices shall be printed in the form prescribed by the Municipal Parking Department in accordance with Section 742 of the Michigan Vehicle Code, being MCL 257.742(7). Citations shall be presented in the form prescribed in Section 727c and 743 of the Michigan Vehicle Code, being MCL 257.727c and 257.743.

(1) *Municipal Parking Department.* The Director of the Municipal Parking Department shall distribute parking violation notices forms, and shall maintain records both of the distribution and of the individual parking violation notices written by civilian employees authorized to issue the same.

(2) *Police Department.* The Chief of Police shall distribute parking violation notice and citation forms to each police officer whose duties may or will include traffic duty or traffic law enforcement. The Chief of Police shall obtain a receipt from each officer to whom parking violation notice forms or citations have been distributed. The Chief of

Police shall maintain a record of the distribution of such parking violation notice and citation forms as well as the individual parking violation notices or citations which have been written therefrom.

(b) *Records.* It shall be the duty of the Director of the Municipal Parking Department and the Chief of Police to maintain records in the custody of their respective department which may be subject to audit by the Auditor General or independent accountants.

Sec. 55-1-42 Issuance of parking violation notices and citations.

(a) Whenever any motor vehicle is found parked, standing, or stopped in violation of any of the provisions of this chapter, or of any order promulgated under this chapter or in violation of state law, the police officer observing such vehicle shall take its registration numbers may take any other information displayed on the vehicle which may identify its registered owner and shall conspicuously affix to such vehicle a parking violation notice or citation. In accordance with Section 1-1-9 of this Code, the Mayor may delegate the police power to issue and affix such parking violation notices or citations to their civilian employees of the City of Detroit but no other power normally exercised by a police officer in the exercise of the officer's normal duties.

(b) The issuance of a parking violation notice or citation by a police officer or other authorized civilian employee of the City shall be deemed an allegation of a civil infraction. Such parking violation notice or citation shall indicate the length of time available to the registered owner for response to the parking violations bureau or court having jurisdiction thereof before the addition of penalties the procedure for responding, the address of the bureau or court, the hours the bureau or court is open and the amount of the fine scheduled to be paid for the violation. Further, if a parking violation notice or citation was issued, it shall indicate that other civil action as authorized by law will be taken if such registered owner fails to respond within the prescribed time.

Sec. 55-1-43. Written objection or protest to parking violation notices or citations.

Nothing contained in this article shall preclude any operator or duly authorized representative, or registered owner or duly authorized representative, from making or submitting a written objection or protest regarding the issuance of any traffic violation, or parking violation notice or citation, to any City authority or officer designated to accept or review such objections or protest within the prescribed time to respond as indicated on said traffic violation, or said parking violation notice or citation.

Sec. 55-1-44. Reductions for prompt payment of fines and penalties for late payment of fines.

(a) As provided for in Section 55-1-32 of this Code, a parking fine that is paid to the Parking Violations Bureau within 10 days of the date of issuance by accepting responsibility, or by accepting responsibility with an explanation, shall result in a \$10.00 reduction from the original fine as an incentive for prompt payment.

(b) A parking fine shall be paid to the Parking Violations Bureau within 30 days of the date of issuance by accepting responsibility, or by accepting responsibility with an explanation, to avoid the imposition of a penalty as provided for in this section. As provided for in Section 5-1-32 of this Code, failure to pay a parking fine to the Parking Violations Bureau within 30 days of the date of issuance shall result:

- (1) In a \$20.00 penalty being added to the original fine where the vehicle is registered in this state; or
- (2) In a \$50.00 penalty being added to the original fine where the vehicle is registered in another state or country.

Sec. 55-1-45. Disposition of parking violation notices and citations.

(a) *Generally.* A parking violation notice or citation issued for the violation of any parking provision either of the Michigan Vehicle Code, being MCL 257.1 *et seq.*, or of this Code shall be disposed of as provided for by Section 741 through 750 of the Michigan Vehicle Code, being MCL 257.741 through 257.750.

(b) *By Parking Violations Bureau.* If the registered owner of a vehicle alleged to be in violation of the parking provisions either of the Michigan Vehicle Code, being MCL 257.1 *et seq.*, or of this Code elects to appear at the Parking Violations Bureau, established pursuant to Section 55-1-16 of this Code, the parking violation notice may be answered by taking one of the following actions within thirty (30) days of the issuance of the notice:

- (1) Admit responsibility and pay the scheduled fines and penalties to the City of Detroit Parking Violations Bureau; or
- (2) Admit responsibility with an explanation as to why the fine should not be paid, and thereafter pay the scheduled or the reduced fine, if any, as determined by the Parking Violations Bureau after consideration of the explanation, or

(3) Deny responsibility and request that the court having jurisdiction to hear the matter schedule a hearing.

(c) *By court.* In all other cases, the citation shall be disposed of by the judges of the court, which has jurisdiction over violations of the Michigan Vehicle Code, being MCL 257.1 *et seq.*, and of this Chapter and who are assigned to hear traffic and parking cases, or by magistrates or referees appointed by the court to hear such cases in accordance with law.

(d) *Satisfaction of determination or order.* Where the determination of the Parking Violations Bureau or the order of the court is adverse, in whole or in part, to the registered owner, the registered owner shall pay all fines, penalties and costs as determined or ordered, or take other action as provided by law, within twenty-one (21) days of the date of the determination or order. Where the determination of the Parking Violations Bureau or the order of the court is wholly favorable to the registered owner, the notice or citation shall be dismissed. A parking violation notice or citation is disposed of only when all amounts ordered have been paid, or the notice or citation has been dismissed.

(e) *Failure to dispose of parking violation notices and citations.* Where the registered owner of a vehicle alleged to be in violation of the parking provisions either of the Michigan Vehicle Code, being MCL 257.1 *et seq.*, or of this Code, fails to dispose of a parking violation notice or citation pursuant to either Subsection (b) or (c) of this section, or fails to pay the amount ordered or take other action pursuant to Subsection (d) of this section, such parking violation notice or citation shall be deemed unanswered.

Sec. 55-1-46. Defenses to parking violation notices or citations.

If the registered owner of a vehicle alleged to be in violation of the parking provisions, either of the Michigan Vehicle Code or of this Code, contests the parking violation notice at a hearing before the Administrative Hearings Tribunal or contests the citation at a hearing before the court having jurisdiction over such violation, such registered owner may raise the following defenses with appropriate evidence to support that:

(1) The registered owner was not the registered owner of the vehicle at the time of the alleged violation; and/or

(2) There was no violation of a statute or this Code pertaining to parking.

Sec. 55-1-47. Unlawful disposition of parking violation notices or citations.

(a) Except as provided for in the article, no person shall cancel, or solicit the disposition of any traffic violation, parking violation notice, or citation.

(b) Any person who is convicted of canceling, or soliciting the disposition of, any traffic violation, or parking violation notice or citation, in violation of this section shall be guilty of a misdemeanor.

Sec. 55-1-48. Report of disposition of cases.

(a) *By Parking Violations Bureau.* It is the duty of the Parking Violations Bureau having responsibility for any parking violation notice issued with the City under the Michigan Vehicle Code and under the parking ordinances of this Code to maintain a record, subject to appropriate audit, of the final disposition of all parking violation notices which have been disposed of by the Bureau.

(b) *By Court.* It shall be the duty of the clerk of the court having jurisdiction over citations issued, either pursuant to the Michigan Vehicle Code or pursuant to the parking and traffic ordinances of this Code, to maintain a record, subject to appropriate audit, of the final disposition of all cases which have been adjudicated by the court.

Sec. 55-1-49. Disposition of fines, penalties, fees, and costs.

(a) *By Parking Violations Bureau.* All fines, penalties, and fees established and imposed by the City for the violation of any parking regulations under the Michigan Vehicle Code and under the parking ordinances of this Code shall be paid to the Parking Violations Bureau for deposit into the general fund of the City.

(b) *By Court.* All fines, penalties, and costs which are imposed by the court having jurisdiction over violations of the Michigan Vehicle Code and of the parking and traffic ordinances of this Code shall be paid to the clerk of such court, who shall deposit the same daily with the City Treasurer, with said fines, penalties, and costs being credited as provided by law.

Secs. 55-1-50 — 55-1-60. Reserved.

**DIVISION 4. PARKING SCOFFLAW PROGRAM FOR FAILURE TO ANSWER
PARKING VIOLATION NOTICES AND CITATIONS**

Sec. 55-1-61. Establishment.

Pursuant to Section 606(1)(b) of the Michigan Vehicle Code, being MCL 257.606(1)(b), the Municipal Parking Department is authorized to develop, implement, and supervise a program for vehicle immobilization and impoundment as defined

respectively in Section 55-1-3 of this Code, for the purpose of enforcing the parking regulations of this Code and of the Michigan Vehicle Code, being MCL 257.1 *et seq.* This parking scofflaw program shall provide for the immobilization and/or impoundment of any vehicle that is currently registered to an owner where the registered owner has failed to answer six or more parking violation notices or citations regarding illegal parking, which have been issued in accordance with this Code, or with the Michigan Vehicle Code, being MCL 257.1 *et seq.*, and have accrued on any vehicle currently or previously registered to the owner.

Sec. 55-1-62. Procedure for notice prior to immobilization and/or impoundment.

(a) *Issuance of warning notice:* Where a registered owner of a vehicle or vehicles has accumulated six or more unanswered parking violation notices or citations regarding illegal parking that have been issued in accordance with this Code, or with the Michigan Vehicle Code, being MCL 257.1 *et seq.*, the Municipal Parking Department Parking Violations Bureau shall cause a warning notice of impending immobilization and/or impoundment to be prepared 15 days after the issuance of a sixth unanswered parking violation notice or citation, and to be sent by first class mail to such registered owner at the address required to be given to the Michigan Secretary of State pursuant to Section 228 or Section 315 of the Michigan Vehicle Code, being MCL 257.228 or MCL 257.315. This warning notice shall state said registered owners name and address, the identification numbers for a minimum of six parking violation notices or citations regarding illegal parking which remain unanswered, a notification regarding the impending immobilization and/or impoundment of said registered owners vehicle(s).

(b) *Rescission of warning notice:* The registered owner may appear at the Parking Violations Bureau to obtain rescission of the warning notice within seven days of the date of issuance of the notice only where:

(1) All fines penalties, and fees owed on all outstanding parking violation notices and/or citations are paid in full as partial payment does not negate eligibility status for immobilization or impoundment; or

(2) The registered owner has appeared, in person, at the Parking Violations Bureau and has entered into, and fully complies with, a formal payment plan; or

(3) The validity of the warning notice is challenged through the submission of documentation to the Parking Violations Bureau demonstrating that:

(a) All fines, penalties, and fees for all outstanding parking violation notices and/or citations were previously paid; or

(b) The registered owner has not accumulated six or more unanswered parking violation notices and/or citations as of the date of issuance of the warning notice.

(c) *Issuance of final notice:* In the event that the registered owner fails to appear at the Parking Violations Bureau within 30 days of the issuance date of the sixth parking violation notice or citation or to take action as required by Subsection (b) of this section, the Municipal Parking Department shall cause a final notice of impending immobilization and/or impoundment to be prepared and to be sent by first class mail to such registered owner at the address given to the Michigan Secretary of State pursuant to Section 228 or Section 315 of the Michigan Vehicle Code, being MCL 257.228 or MCL 257.315. This final notice shall state said registered owners name and address, the identification numbers for a minimum of six parking violation notices or citations regarding illegal parking which remain unanswered, and that an administrative fee of \$25.00 has been added to the amount due.

(d) *Rescission of final notice:* The registered owner may appear at the Parking Violations Bureau within seven days of the date of issuance of the final notice to obtain rescission of the eligibility status for vehicle immobilization and/or impoundment only where:

(1) All fines, penalties, and fees owed on all outstanding parking violation notices and/or citations are paid in full as partial payment does not negate eligibility status for immobilization or impoundment; or

(2) The registered owner has appeared, in person, at the Parking Violations Bureau and has entered into, and fully complies with, a formal payment plan; or

(3) The validity of the final notice is challenged through the submission of documentation to the Parking Violations Bureau demonstrating that:

(a) All fines, penalties, and fees for all outstanding parking violation notices and/or citations were previously paid; or

(b) The registered owner has not accumulated six or more unanswered parking violation notices and/or citations as of the date of issuance of the final notice.

Sec. 55-1-63. Procedure for immobilization.

In the event that the registered owner fails to appear at the Parking Violations Bureau and take action as required by Section 55-1-62(d) of this Code, the Municipal Parking Department may direct the immobilization of said registered owners vehicle or vehicles when legally or illegally parked on any public street or on any City-owned property, or when illegally parked on any public or private property:

(1) By placement of a restraint, as defined in Section 55-1-6 of this Code, on said vehicle in such a manner so as to prevent its operation; and

(2) By affixing to said vehicle in a conspicuous place an immobilization notice which:

a. Warns that the vehicle is immobilized, that any attempt to move said vehicle may result in damage, and that movement of the vehicle that is not authorized by the City and that removal or alteration of the restraint that is not authorized by the City, and damage, destruction or loss of a restraint due to movement, is a violation of this division punishable, in the discretion of the court, by a fine of up to \$500.00 or imprisonment for up to 90 days, or both; and

b. Provides information pertaining to the procedure to be followed either to obtain release of the restraint, or to obtain a post-immobilization hearing before the Administrative Hearings Tribunal as provided for in Section 55-1-65 or 55-1-66 of this Code.

Sec. 55-1-64. Procedure for impoundment.

In the event that the registered owner fails to appear at the Parking Violations Bureau to take action as required by Section 55-1-62(d) of this Code, or as required subsequent to immobilization pursuant to Section 55-1-63 of this Code, the Municipal Parking Department may direct the impoundment of said registered owners vehicle either when legally or illegally parked on any public street or on any City-owned property, or when illegally parked on any public or private property:

(1) By relocating said vehicle by towing to a pound established by the Municipal Parking Department for storage; and

(2) By sending by certified mail, return receipt requested, to the registered owner at the address listed with the Michigan Secretary of State pursuant to Section 228 or Section 315 of the Michigan Vehicle Code, being MCL 257.228 or MCL 257.315, and to the secured party or parties, if any, an impoundment notice which indicates that:

a. The registered owner has the right to request a post-impoundment hearing before the Administrative Hearings Tribunal as provided for in Section 55-1-66 of this Code; and

b. Where the registered owner fails to request a post-impoundment hearing or to claim the vehicle within 21 days of the date of issuance of the impoundment notice, said vehicle will be deemed abandoned in accordance Sections 55-1-71 of this Code and, unless prior to sale or other disposition of the vehicle the registered owner or secured party secures release of the vehicle by paying all fines, penalties, fees, costs and ordered restitution, the vehicle may be sold or otherwise disposed of in accordance with Section 252g of the Michigan Vehicle Code, being MCL 257.252g, which is incorporated by reference into Article III of this chapter, with the proceeds from such disposition being first utilized for the satisfaction of all fines, penalties, fees, costs and ordered restitution, due to the Parking Violations Bureau.

Sec. 55-1-65. Procedure for release of vehicle.

In order to secure the release of a vehicle, the registered owner must do one of the following within 21 days of immobilization or impoundment:

(1) Pay the total amount due.

a. Where the immobilization and/or impoundment of said vehicle has occurred and the registered owner does not request a hearing to contest the validity thereof, the registered owner may secure the release of such vehicle only after payment to the Parking Violations Bureau of the total amount due regarding all outstanding parking violation notices and/or citations, all immobilization, impoundment and/or storage fees, the \$25.00 administrative fee, any restitution ordered pursuant to Section 55-1-72 of this Code, and any other payment due.

b. A secured party may pay the total amount due on behalf of the registered owner and, upon the execution of a hold-harmless agreement that releases the City and its officers, employees, and agents from all liability with respect to the vehicle, obtain the release of the vehicle to the secured party; or

(2) Request an administrative hearing.

a. *Hearing scheduled within three business days of request.* Where the immobilization and/or impoundment of said vehicle has occurred and the registered owner requests a hearing to contest the validity thereof before the Administrative Hearings Tribunal as provided for in Section 55-1-66 of this Code and said hearing is scheduled

within three business days of such request, the registered owner may secure the release of such vehicle only when:

(1) The decision of the Administrative Hearings Tribunal is in favor of the registered owner; or

(2) The decision of the Administrative Hearings Tribunal is adverse to the registered owner and the amount ordered to be paid by the Administrative Hearings Tribunal is paid to the Parking Violations Bureau within 21 days of the entry of an order by the Administrative Hearings Tribunal; or

(3) The decision of the Administrative Hearings Tribunal is adverse to the registered owner, review has been initiated by the registered owner within 21 days of the entry of an order by the Administrative Hearings Tribunal as provided for in Section 55-1-69 of this Code, *Review of Adverse Decision*, and a cash deposit of the amount due regarding all outstanding parking violation notices and/or citations, all immobilization, impoundment and/or storage fees, the \$25.00 administrative fee, and all other applicable fines and fees, but not to exceed \$500.00 pursuant to Section 606(4) of the Michigan Vehicle Code, being MCL 257.606(4), has been paid to the Parking Violations Bureau.

b. *Hearing not scheduled within three business days of request.* Where the immobilization and/or impoundment of said vehicle has occurred and the registered owner requests a hearing before the Administrative Hearings Tribunal as provided for in Section 55-1-66 of this Code, but the Parking Violations Bureau is unable to schedule such hearing within three business days of such request, the registered owner may secure the release of such vehicle only after payment to the Parking Violations Bureau of a cash deposit of the amount due regarding all outstanding parking violations notices and/or citations, all immobilization, impoundment and/or storage fees, the \$25.00 administrative fee, and/or any other applicable fee(s), but not to exceed \$500.00 pursuant to Section 606(4) of the Michigan Vehicle Code, being MCL 257.606(4).

Sec. 55-1-66. Procedure for requesting an administrative hearing.

In order to request an administrative hearing under Section 55-1-65 of this Code to contest the validity of an immobilization and/or impoundment, the registered owner must appear at the Parking Violations Bureau and must execute a written request for an administrative hearing within 21 days of the immobilization and/or impoundment. The registered owner shall receive only one administrative hearing for all parking violation notices and citations that previously have not been adjudicated by the Administrative Hearings Tribunal. An order of the Administrative Hearings Tribunal is final and binding.

Sec. 55-1-67. Procedure for payment of fines, penalties and fees, or for refund of cash deposit, after entry of order by Administrative Hearings Tribunal.

(a) In the event that the decision of the Administrative Hearings Tribunal is adverse to the registered owner, the amount due in the order regarding all outstanding parking violation notices and/or citations, all immobilization, impoundment and/or storage fees, the \$25.00 administrative fee and all fines, penalties, fees and costs, including any restitution that is ordered under Section 55-1-72 of this Code, shall be paid prior to release of the impounded vehicle.

(b) In the event that the decision of the Administrative Hearings Tribunal is favorable to the registered owner and an order has been entered, the cash deposit paid under Section 55-1-65(2)(a) or (b) of this Code shall be refunded as soon as is practicable.

Sec. 55-1-68. Enforcement of decision.

After entry of an order under this Code:

(1) The registered owner shall pay the amount due in full, including all fines, penalties, fees, and costs within 21 days; or

(2) Where the registered owner has secured release of the vehicle under Section 55-1-65(2)(b) of this Code and has failed to comply with such order, he or she shall return said vehicle to the possession of the Parking Violations Bureau within 21 days; or

(3) Where the registered owner has failed either to comply with such order, or to return said vehicle, that has been released under Section 55-1-65(2)(a) or (b) of this Code to the possession of the Parking Violations Bureau, any vehicle registered to said owner shall be subject to immediate immobilization and/or impoundment by the Parking Violations Bureau.

Sec. 55-1-69. Review of adverse decision.

In the event that the decision of the Administrative Hearings Tribunal is adverse to the registered owner, and in order to avoid his or her vehicle being deemed abandoned under Section 55-1-71 of this Code, the owner shall pursue review of the adverse decision, within 21 days of entry of an order, through any available equitable remedy. Where said registered owner seeks an equitable remedy, then the cash deposit required either

under 55-1-65(2)(a) of this Code or under Section 55-1-65(2)(b) of this Code shall remain in effect pending final disposition of the case.

Sec. 55-1-70. Fees for immobilization and impoundment.

Pursuant to 9-507 of the Charter, fees for immobilization, impoundment, and storage under this article shall be establishment by the Director of the Municipal Parking Department and approved by the City Council. Fees for police impoundment under Article II, Division 4, of this chapter, *Impoundment of Vehicles*, or police towing under Article II, Division 5, of this chapter, *Police Authorized Towing*, are not applicable to the parking scofflaw program.

Sec. 55-1-71. Procedure for disposition of unclaimed vehicles after impoundment.

In the event that the registered owner fails to appear at the Parking Violations Bureau within 21 days of issuance of the impoundment notice under Section 55-1-64(2) of this Code, or if the registered owner fails to prevail in an administrative hearing and to pay the amount ordered to be paid in accordance with Section 55-1-65(2)(a)(2) of this Code, said vehicle will be deemed abandoned and may be sold or otherwise disposed of in accordance with Section 252g of the Michigan Vehicle Code, being MCL 257.252g, which is incorporated by reference into Article III of this chapter, with the proceeds from such disposition be first utilized for the satisfaction of all fines, penalties, fees and costs, including any restitution that is ordered, due to the Parking Violations Bureau, provided, that, prior to sale or other disposition of the vehicle, a registered owner or secured party may secure release of the vehicle by paying all fines, penalties, fees, costs, and restitution.

Sec. 55-1-72. Penalty for removal of restraint or movement of a vehicle after immobilization.

It shall be unlawful for any person, who is not authorized by the City, including the employee or agent of any towing company, to remove, or alter, any restraint from any vehicle after immobilization or to move any vehicle after immobilization. Any person who is not authorized by the City to remove or alter a restraint, including the employee or agent of any towing company, and who either damages, destroys or loses a restraint, or moves a vehicle after immobilization, is guilty of a misdemeanor and, in the discretion of the court, is subject to a fine of not more than \$500.00 or to imprisonment for not more than 90 days or both. Where a person, who is not authorized by the City to remove or alter a restraint, including the employee or agent of any towing company, damages, destroys or loses the restraint, the parking violations bureau shall be entitled to an order of restitution in accordance with Section 1a of the Michigan Code of Criminal Procedure, being MCL 769.1a, in addition to, or in lieu of, any other penalty authorized by law.

Sec. 55-1-73. Release of impounded vehicle to Parking Violations Bureau for immediate public sale.

The registered owner of a motor vehicle, which has been immobilized and/or impounded pursuant to Section 55-1-63 or 55-1-64 of this Code, may satisfy amounts owed to the Parking Violations Bureau, in whole or in part, by doing all of the following:

- (1) Appearing in person at the Parking Violations Bureau with his or her drivers license or state identification card; and
- (2) Presenting to the Parking Violations Bureau the current, original valid certificate of title issued by the Michigan Secretary of State, as provided for in Sections 206 and 209 of the Michigan Vehicle Code, being MCL 257.206 and MCL 257.209, and the current, original valid vehicle registration issued by the Michigan Secretary of State, as provided for in Sections 206 and 209 of the Michigan Vehicle Code, being MCL 257.206 and MCL 257.209; and
- (3) Certifying, by execution of a sworn statement on a form provided by the Parking Violations Bureau, that the certificate of title correctly reflects the existence or non-existence of any security interests or liens on said vehicle; and
- (4) Executing a release form that is provided by the Parking Violations Bureau, which indicates that the registered owner releases the immobilized or impounded vehicle to the Parking Violations Bureau for immediate sale pursuant to Section 252g of the Michigan Vehicle Code, being MCL 257.252g, which is incorporated by reference into Article III of this chapter, and to Section 55-1-71 of this Code, and signing over the title of the vehicle to the City.

Secs. 55-1-74 — 55-1-80. Reserved.

DIVISION 5. CITATIONS AT COURT FOR VIOLATIONS UNDER CHAPTER NOT INVOLVING PARKING

Sec. 55-1-81. Civil infractions, penalties.

- (a) If a person is determined to be responsible or responsible "with explanation" for a civil infraction under this chapter, the judge or magistrate may order the person to pay

a civil fine of not more than \$100.00 and costs as provided in Subsection (b) of this section. Permission may be granted for payment of a civil fine and costs to be made within a specified period of time or in specified installments, but in the absence of permission being included in the order or judgment, the civil fine and costs shall be payable immediately.

(b) If a civil fine is ordered to be paid under Subsection (a) of this section, the judge or magistrate shall summarily tax and determine the costs of the action, which shall not be limited to the costs taxable in ordinary civil actions and may include all expenses, direct and indirect, to which the plaintiff has incurred in connection with the civil infraction, up to the entry of judgment. Except in a civil infraction for a parking violation, costs of not less than \$5.00 shall be ordered. Costs shall not be ordered in excess of \$100.00. Except as otherwise provided by law, costs shall be payable to the general fund of the City.

(c) In addition to any civil fine and costs ordered under Subsections (a) and (b) of this section, the judge or magistrate may order the person to attend and complete a program of treatment, education, or rehabilitation.

(d) A magistrate shall impose the sanctions permitted under Subsection (c) only to the extent expressly authorized by the chief judge of the court having jurisdiction over violations of the Michigan Vehicle Code and of the parking and traffic ordinances of this chapter.

(e) The court having jurisdiction over violations of the Michigan Vehicle Code and of the parking and traffic ordinances of this Code may establish a schedule of civil fines and costs to be imposed for civil infractions which occur within the city. If a schedule is established, it shall be prominently posted and readily available for public inspection. A schedule need not include all violations which are designed by law or ordinances as civil infractions. A schedule may exclude cases on the basis of a defendant's prior record of civil infractions or traffic offenses, or of a combination of civil infractions and traffic offenses.

(f) A default in the payment of a civil fine or costs ordered under Subsection (a) or an installment thereof may be collected by any means authorized for the enforcement of a judgment under Chapter 40 of the Michigan Revised Judicature Act, being MCL 600.4001 *et seq.*, or under Chapter 60 of the Michigan Revised Judicature Act, being MCL 600.6001 *et seq.*

(g) If a person fails to comply with an order of judgment issued pursuant to this section, within the time prescribed by the court, the court may proceed under Section 55-1-82 of this Code.

Sec. 55-1-82. Default in payment; civil contempt.

(a) If a defendant defaults in the payment of a civil fine, costs, or both, or of any installment, the court may require, upon the motion of the City or upon its own motion, the defendant to show cause why the default should not be treated as civil contempt and may issue a summons or order to show cause or a bench warrant of arrest for the defendant's appearance.

(b) When a corporation or an association is ordered to pay a civil fine or costs, the persons authorized to make disbursement shall pay the fine or costs, and their failure to do so shall constitute civil contempt unless they make the showing required in this section.

(c) Unless the defendant shows that the default was not attributable to an intentional refusal to obey the order of the court or to a failure on his or her part to make a good faith effort to obtain the funds required for payment, the court shall find that the default constitutes a civil contempt and may order the defendant committed until the fine, costs, or both, or a specified part thereof, is paid.

(d) If it appears that the default in the payment of a civil fine or costs does not constitute civil contempt, the court may enter an order allowing the defendant additional time for payment, reducing the amount of payment or of each installment, or revoking the fine or costs or the unpaid portion thereof in whole or in part.

(e) The term of imprisonment on civil contempt for nonpayment of a civil fine or costs shall be specified in the order of commitment, and shall not exceed one day for each \$10.00 of the fine and costs. A person committed for nonpayment of a civil fine or costs or costs shall be given credit toward payment for each day of imprisonment and each day of detention in default of recognizance before judgment at the rate of \$10.00 per day.

(f) A defendant committed to imprisonment for civil contempt for nonpayment of a civil fine or costs shall not be discharged from custody until one of the following occurs:

- (1) The defendant has been credited with the amount due pursuant to Subsection (e) of this section; or
- (2) The amount due has actually been collected through execution of process or otherwise; or
- (3) The amount due has been satisfied pursuant to a combination of Subsections (f)(1) and (f)(2) of this section.
- (g) The civil contempt shall be purged upon discharge of the defendant pursuant to Subsection (f) of this section.

Sec. 55-1-83. Failure to answer a citation or notice to appear.

A person who, without just cause, fails to answer a citation or notice to appear in court for violating the Michigan Vehicle Code, MCL 257.1 *et seq.*, which is incorporated by reference into Article III of this chapter, or who fails to comply with an order or judgment issued pursuant to the Michigan Vehicle Code or this chapter shall be guilty of a misdemeanor.

Sec. 55-1-84 — 55-1-100. Reserved.

ARTICLE II. ENFORCEMENT

DIVISION 1. VOLUNTARY BICYCLE REGISTRATION

Sec. 55-2-1. Purpose.

The purpose of this division is to authorize the Police Department to create a database where residents of the City may voluntarily register their bicycles to assist the department with identifying lost or stolen bicycles involved in accidents.

Sec. 55-2-2. Voluntary registration.

Any resident of the City may voluntarily register his or her bicycle with the Police Department.

Sec. 55-2-3. Police Department authorized to register bicycles; numbering system and database required.

(a) The Police Department is authorized to register bicycles for residents of the City, through application and payment of the required fee, by the issuance of registration certificates and corresponding decals.

(b) The Police Department shall create a numbering system so that:

- (1) Each registration certificate and corresponding decal contain the same serial number; and
- (2) Registration certificates and their corresponding decals are numbered consecutively.
- (c) The Police Department shall maintain a database which contains:
 - (1) The serial number for each registration certificate and its corresponding decal;
 - (2) The date of the issuance of each registration certificate and its corresponding decal;
 - (3) The full name of the registrant; and
 - (4) The registrant's address and telephone number.

Sec. 55-2-4. Fee.

In accordance with Section 9-507 of the Charter, the fee to be paid for each bicycle registration certificate and decal shall be determined by the Chief of Police, subject to the approval of City Council,, and shall be paid to the Police Department at the time of registration.

Sec. 55-2-5. Application and payment of fee.

(a) Every person who desires to register his or her bicycle shall complete a written application with the Police Department on a form that is available at the department by providing his or her:

- (1) Full name;
- (2) Complete home address;
- (3) Telephone number;
- (4) Bicycle serial number;
- (5) Description of bicycle; and
- (6) Signature and date signed.
- (b) At the time of application, the registrant shall pay the required fee.

Sec. 55-2-6. Duty of Police Department to issue registration certificate and to affix decal to bicycle; decal to remain affixed until ownership transferred.

Upon receipt of a completed application and payment of the required fee, it is the duty of the Police Department:

- (1) To issue a registration certificate to the registrant; and
- (2) To affix the corresponding decal, at the time of registration, to the saddle post at a point between six inches and nine inches below the seat and in such position so as not to cover the serial number of the bicycle.

The decal shall remain affixed to the bicycle until the ownership of the bicycle is transferred to another person who may obtain his or her own registration.

Sec. 55-2-7. Police Department authorized to etch, or imprint, numbers on bicycle frames.

Where a serial number is not visible, or is illegible, for identification purposes, the Police Department is authorized to etch, or imprint, an identification number on the frame of the bicycle.

Sec. 55-2-8. Registration effective during ownership of bicycle and is non-transferable; notification required for change of address and telephone number; disposition of bicycle where registrant fails to make notification.

(a) A registration that is issued under this division shall remain in effect for as long as the bicycle is owned by the registrant and is non-transferable, provided, that it is the duty of the registrant to notify the Police Department, in person, whenever his or her address and telephone number changes.

(b) In the event that a registrant fails to notify the Police Department of a change of address or telephone number and the department is unable to locate the registrant, the department shall dispose of the bicycle by requesting that the City Council adopt a resolution in accordance with Section 1 of the Michigan Stolen or Abandoned Property Act, being MCL 434.181.

Sec. 55-2-9 — 55-2-20. Reserved.

DIVISION 2. RESIDENTIAL PARKING PERMITS

Sec. 55-2-21. Procedures and requirements for designation of a residential parking permit area.

(a) A person who, or group which, resides in a residence district unreasonably impacted by parking congestion that is caused by the district's proximity to a major off-site parking generator may request that the City designate the area a residential parking permit area.

(b) Upon receipt of the request for designation, the Department of Public Works shall provide to the person or group petitions which identify the proposed residential parking permit area. The petitions shall state the applicable requirements and other relevant information concerning the proposed residential parking permit area. The petitions shall be circulated by the person or group, for the purpose of ascertaining whether the residents in the area support the proposed designation by the City of the area as a residential parking permit area.

(c) Within 60 days of receipt of petition signatures from residents that represent 75 percent of dwelling units in the proposed parking permit area and 75 percent of the dwelling units on each block face within the proposed area, the Department of Public Works shall:

(1) Determine whether the proposed residential parking permit area contains a minimum of six contiguous block faces, or three blocks facing each other or any contiguous combination thereof, or is an area that contains less than a minimum of six contiguous block faces or three blocks facing each other or any contiguous combination thereof, which has street parking congestion that is caused by the area's proximity to a major off-site parking generator;

(2) Verify the authenticity of the resident petition signatures; and

(3) Analyze the traffic and resident parking conditions in the proposed residential parking permit area.

(d) A residence district, or part thereof, shall not be recommended for designation by the City as a residential parking permit area unless the Department of Public Works analysis, including a survey, where needed, reveals that the area is unreasonably impacted due to the area's proximity to a major off-site parking generator and such designation is deemed necessary to alleviate a street parking shortage for the area's residents.

(e) Where the analysis by the Department of Public Works substantiates the need for the designation of the area as a residential parking permit area, said department shall forward its findings to the Municipal Parking Department. Within 10 days, but not later than 30 days, after receipt of the Department of Public Works findings, the Municipal Parking Department shall schedule a community meeting and mail a notice regarding the meeting date to the addresses of all residents of the proposed residential parking permit area. At the community meeting, the results of the Department of Public Works analysis, the boundaries of the proposed residential parking permit area, the application procedures and permit fees to be charged, and the signage recommended to be posted shall be provided to the residents of the proposed residential parking permit area.

(f) No later than 30 days after the community meeting is held and based upon its analysis, the Department of Public Works shall make its recommendation to the City Council, which shall include consideration of comments that were recorded at the community meeting.

(g) The City Council may approve the designation of the impacted area as a residential parking permit area upon the submission of the Department of Public Works recommendation pursuant to Subsection (f) of this section, and a determination by City Council that 1) residential street parking is unreasonably impacted in the area due to the area's proximity to a major off-site parking generator; and 2) the designation of the area as a residential parking permit area will alleviate a street parking shortage for the area's residents.

(h) Where the result of the Department of Public Works analysis does not support the recommendation for the need for designation of the proposed area as a residential parking permit area, the Department of Public Works shall notify the person or group, and the City Council, in writing of the results of its analysis and recommendation.

(i) Where the Department of Public Works recommends that a proposed area not be designated as a residential parking permit area, the person or group, requesting such designation may file a petition with the City Clerk which requests that the City Council hold a public hearing concerning the Department of Public Works analysis and recommendation that the area not be designated as a residential parking permit area. The request for a hearing shall be filed with the City Clerk within 30 days after the mailing of the written notification of the Department of Public Works analysis and recommendation to the person or group. Upon the receipt of such a request by the City Clerk, the City Council may schedule and hold a public hearing regarding the Department of Public Works' analysis and recommendation. The City Clerk shall provide notice of the public hearing to the City Planning Commission, the Department of Public Works, the Municipal Parking Department, the person who, or group which, requested the designation of the area as a residential parking permit area, and any other interested party. After any public hearing, the City Council may approve the designation of the impacted area as a residential parking permit area where the City Council determines that residential street parking is unreasonably impacted in the subject area due to the area's proximity to a major off-street parking generator, and that the designation of the area as a residential parking permit area will alleviate a street parking shortage for the area's residents.

Sec. 55-2-22. Residential parking permit area; implementation.

(a) Upon City Council's approval through adoption of a resolution that an area shall be designated by the City as a residential parking permit area, the City Clerk shall notify residents at each address in the area of the City Council's action and inform them of the City's procedure for the implementation of the residential parking permit area. The Municipal Parking Department shall send a description of the designated area to the City Clerk who shall publish the notice in a newspaper of general circulation in the City.

(b) Signage of the designated area shall be installed by the Department of Public Works within 30 days from the time that residents who represent 60 percent of the dwelling units in the designated area complete an application pursuant to Municipal Parking Department procedures, and purchase a residential parking permit.

(c) Permits shall be issued to residents of the residential parking permit area for a 12-month period and shall be renewed annually.

Sec. 55-2-23. Procedures and administration of residential parking permit area.

(a) The Municipal Parking Department shall establish procedures for the implementation of residential parking permits in an area that is approved by resolution of City Council as a residential parking permit area.

(b) The Municipal Parking Department shall administer the Residential Parking Permit Area Program in accordance with this division.

Sec. 55-2-24. Residential parking permit area; required levels of resident participation.

The participation of residents who represent 60 percent of dwelling units in the designated area is required to maintain a posted residential parking permit area.

(a) *Failure to achieve required level of participation.* After 30 days but no later than 120 days after approval by City Council of the residential parking permit area, any such area that does not reach its initial required level of participation shall have such designation revoked by the Municipal Parking Department. upon revocation of the designation, residents of the area who have paid for a permit shall be entitled to a full refund.

(b) *Failure to maintain required participation.* In the event that the number of residents who participate in the residential parking permit program within a designated residential

parking permit area falls below a level of 60 percent of the occupied dwelling units, the designation may be revoked by the Municipal Parking Department. Notice of such minimal level of participation shall be mailed to each address in the area/ Residents will have 30 days to bring the area into compliance with the 60 percent requirement.

(c) *Termination of residential parking permit area.* Upon receipt of a petition requesting termination of the designation of an area as a residential parking permit area that is signed by residents who represent 60 percent of the dwelling units in an existing residential parking permit area and after following the procedures in Section 55-2-21(c), (d) and (e) of section 55-2-21 of this Code, the Department of Public Works shall notify the City Council that the designation of the residential parking permit area has been terminated.

Sec. 55-2-25. Residential parking permit not a guarantee of parking space.

A residential parking permit will allow, but shall not guarantee or reserve to the holder thereof, any on-street parking space within the designated residential parking permit area.

Sec. 55-2-26. Residential parking permit violation; penalty.

- (a) No person shall:
 - (1) Park in a residential parking permit area beyond the posted time allowed without a residential parking permit;
 - (2) Fail to surrender a residential parking permit to the municipal Parking Department upon its demand where such permit is used in violation of Sections 55-2-21 through 55-2-25 of this Code; or
 - (3) Falsify information to obtain such a permit.
- (b) A person who violates any provision of this division shall:
 - (1) Be subject to a civil infraction; and
 - (2) Be liable for the fine and towing charges for violation of the parking regulations of the City.

Secs. 55-2-27 — Sec. 55-2-40. Reserved.

DIVISION 3. SNOW EMERGENCY ROUTES

Sec. 55-2-41. When parking prohibited.

- (a) Parking on snow emergency routes will be prohibited under the following conditions:
 - (1) Whenever between the hours of 6:00 a.m. and 11:00 p.m. snow or ice has accumulated to a depth of two inches or more on any part of a snow emergency route, a parking prohibition shall automatically go into effect on that part of the route one hour after such condition exists; or
 - (2) Whenever the Coordinator finds, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the National Weather Service of snow, sleet or freezing rain, that weather conditions will make it necessary that parking on City streets be prohibited or restricted for snow plowing or other purposes, the Coordinator shall cause to be put into effect a parking prohibition on parts of or all snow emergency routes as necessary by declaring it in a manner prescribed in this article.
- (b) Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the Coordinator in accordance with this article, except that any street area which has become clear of snow and ice from curb to curb for the length thereof lying between two successive street intersections shall be automatically excluded therefrom. While the prohibition is in effect, no person shall park or allow to remain parked any vehicle on any portion of a snow emergency route to which it applies, provided, that nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

Sec. 55-2-42. When parking prohibited on second priority streets.

- (a) Whenever the Coordinator finds, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the National Weather Service of snow, sleet or freezing rain, that weather conditions will make it necessary that parking on City streets be prohibited or restricted for snow plowing and other purposes, the Coordinator shall cause to be put into effect a parking prohibition on parts of or all second priority streets between the hours of 12:01 a.m. and 8:00 a.m. as follows:
 - (1) On days having uneven dates, vehicles are prohibited from parking on the side of the street having uneven street numbers; and
 - (2) On days having even dates, vehicles are prohibited from parking on the side of the street having even street numbers.
- (b) The prohibition shall remain in effect until terminated by announcement of the Coordinator in accordance with this article or until any street area has become substantially clear of snow and ice from curb to median line for the length thereof lying between two successive street intersections on any street to which it applies.

Sec. 55-2-43. Abandoning disabled vehicles.

Whenever a vehicle becomes disabled for any reason on any part of a snow emergency route on which there is a covering of snow, sleet or ice or which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency route. No person shall abandon or leave a vehicle in the roadway of a snow emergency route regardless of whether indicated by a raised hood or otherwise that the vehicle is disabled, except for the purpose of securing assistance during the actual time necessary to go to a nearby telephone or to nearby garage, gasoline station, or other place of assistance and return without delay.

Sec. 55-2-44. Public announcements of declarations required.

(a) The Coordinator shall cause each declaration made by him or her pursuant to this article to be publicly announced by means of broadcasts or telecasts from stations with a normal operating range covering the City and may cause such declaration to be further announced in newspapers of general circulation when feasible. Each announcement shall describe the action taken by the Coordinator, including the time it became or will become effective, and shall specify the streets or areas affected, except as otherwise provided for in Section 55-2-41 of this Code.

(b) The Coordinator shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section.

Sec. 55-2-45. Termination of parking prohibition.

Whenever the Coordinator finds that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this article no longer exist, he or she may declare this prohibition terminated.

Sec. 55-2-46. Applicability of other traffic regulations.

Any provision of this article, while temporarily in effect, shall take precedence over other conflicting provisions of law normally in effect, except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized vehicles, or emergency traffic directions by a police officer.

Sec. 55-2-47. Erection of signs.

On each street designated as a snow emergency route, the Department of Public Works shall erect signs plainly marking such route and sufficient in number to apprise the ordinarily observant person that such street or highway is a snow emergency route, provided, that nothing in this article shall be construed to permit parking at any time or place where it is forbidden by any other provision of law.

Sec. 55-2-48 — 55-2-60. Reserved.**DIVISION 4. IMPOUNDMENT OF VEHICLES****Sec. 55-2-61. Authority to create vehicle pounds; hours of operation of same.**

The Chief of Police is hereby authorized to create vehicle pounds, where automobiles and other vehicles may be moved by police officers in the manner provided by this article. Such pounds shall be located and operated at such places as may be designated by the Chief of Police and a police officer shall be in charge of each pound. The Chief of Police shall designate an officer to remain in attendance at each pound from 7:00 a.m. to 10:00 p.m. each day, except Sunday, for the purpose of receiving, safeguarding and discharging vehicles, and for collecting the fees provided by this article.

Sec. 55-2-62. Prohibited parking declared a nuisance.

The parking of vehicles in places where parking is prohibited or the parking of vehicles in violation of the terms and provisions of this chapter is hereby declared to be a nuisance.

Sec. 55-2-63. Impoundment — Authority of police when vehicle in violation of parking regulations.

The Chief of Police is hereby authorized to remove or cause the removal and impounding of any vehicle found parked in violation of this Code. Such vehicle may be removed and conveyed by or under the direction of a member of the Police Department, by means of towing the same or otherwise to a vehicle pound or to a point or place where parking is permitted. Whenever available police facilities are insufficient, the Chief of Police is authorized to engage the services of any private operator of towing cars to remove vehicles under the direction of a member of the Police Department where the same are found in violation of this Code and under the provisions of Section 55-2-69 of this Code.

Sec. 55-2-64. Same — Redemption; impoundment fee.

(a) Before the owner or person in charge of any impounded vehicle shall be permitted to remove the same from the custody of the Police Department, he or she shall fur-

nish evidence of his identity and ownership, sign a receipt, and pay a redemption fee in the amount of the towing charge plus an impoundment fee. In accordance with Section 9-507 of the Charter, such impoundment fee shall be set by City Council, based on the recommendation of the Board of Police Commissioners reflecting the reasonable cost of receiving, safeguarding and discharging said vehicle. Such fee shall remain the same for the first 24 hours and then shall include an additional *per diem* storage cost for each additional day or traction of a day thereafter.

(b) The Board of Police Commissioners shall review and recommend, at least every two years, to City Council any adjustment in fees established under this section.

Sec. 55-2-65. Same — Additional fee for towing of tractors and trailers or semi-trailers.

In accordance with Section 9-507 of the Charter, the fee to be paid for the towing of a tractor with semitrailer attached or of a semitrailer detached from the tractor, where the same was removed because of being parked or standing in a place where parking or standing is not permitted, or otherwise parked or standing in violation of any provision of this Code, plus the cost of removal, shall be set by City Council.

Sec. 55-2-66. Same — Vehicles impeding freeway traffic.

The City, or its authorized agents, may forthwith remove or cause the removal of any vehicle and the contents thereof or any other thing which obstructs or otherwise impedes traffic on any freeway in the City. The fee to be paid by the owner or operator of any vehicle so moved shall be the cost incurred by the City for such removal or for causing such removal to be made.

Sec. 55-2-67. Same — Disabled or accident vehicles.

No person shall leave a vehicle that is not in proper condition to be driven due to mechanical failure, flat tire, lack of fuel, or as the result of an accident upon the streets of the City for a longer period than is necessary to remove such vehicle. Where the presence of such vehicle constitutes a material obstruction or a definite hazard to the movement of traffic, the Police Department is hereby authorized to move such vehicle to the vehicle pound.

Sec. 55-2-68. Same — Repairing vehicles prohibited on City streets, highways, alleys, or public places; exceptions.

No person shall service any vehicle, or make any repair to any vehicle, in or upon any of the streets, highways, alleys or other public places in the City, except minor repairs which may be necessary in an emergency to render such motor vehicle operable.

Sec. 55-2-69. Same — Additional conditions of impoundment.

The City, or its authorized agents, may remove or cause the removal of any vehicle under the following circumstances:

- (1) When the driver of such vehicle is taken into custody by the Police Department and such vehicle would thereby be left unattended upon the street; or
- (2) When removal is necessary in the interest of public safety because of fire, flood, storm, snow, or other emergency reason.

Sec. 55-2-70. Owner to be informed of charges; payment of fees under protest.

It shall be the duty of the officer or person in charge of any impounded vehicle to inform the owner or person claiming an impounded vehicle of the nature and circumstances of the violation on account of which such vehicle has been impounded. In case protest is made against the payment of any impounding or storage fee, the officer or person in charge of the vehicle pound shall mark upon the receipt evidencing payment of the impounding and storage fees the words "Paid Under Protest." In such case, it shall thereupon be the duty of the police officer having knowledge of the facts to forthwith institute the proper proceedings in the recorder's court, charging the owner or driver of such vehicle with that violation of the provision of this Code on account of which the vehicle was impounded. On the disposition of the cause in the court having jurisdiction; it shall be the duty of the Chief of Police to refund to such person the fees paid under protest.

Sec. 55-2-71. Chief of Police to account for fees; records of violations.

It shall be the duty of the Chief of Police to account for all fees collected under this article and to deposit the same with the City Treasurer. The chief shall also keep the names of all owners of vehicles impounded, the numbers of their state license plates, the nature and circumstances of each violation, and the disposition of each case.

Secs. 55-2-72 — 55-2-80. Reserved.

DIVISION 5. POLICE AUTHORIZED TOWING

Sec. 55-2-81. Towing rate commission.

A towing rate commission shall be created, composed of the Auditor General as Chairperson, the Director of Buildings, Safety, Engineering, and Environmental

Department or designated representative, the Chief of Police or designated representative, a representative of the public appointed by the Mayor, and a representative of the towing industry appointed by City Council. Such commission shall be charged with the duty of reviewing the towing rates at least once every two years and submitting its recommendation to City Council by October 1st of the year of review.

Sec. 55-2-82. Standards for authorized towers.

(a) The Board of Police Commissioners shall establish standards, including insurance and bonding requirements, that must be met in order for a tower to qualify for police authorized tows, under this chapter, and the Police Department shall maintain a current list of such qualified towers. A separate list may be maintained for towers who tow abandoned vehicles in accordance with Sections 252a through 252m of the Michigan Vehicle Code, being MCL 257.252a through 257.252m, which is incorporated by reference under Article III of this chapter. The required insurance shall indemnify and hold harmless the City for any injury, damage or loss that may result from a police authorized tow or storage under this chapter. The City shall not be liable for any such injury, damage or loss. In accordance with Section 2-111 of the Charter, the Board of Police Commissioners shall promulgate administrative rules for the Body's determination as to which towers shall be called for tows under this chapter. Such rules shall provide, as nearly as practicable, for equitable distribution of police authorized towing to all towers on the list of qualified towers.

(b) All towers qualifying as police authorized towers shall be Detroit-based towers. For the purposes of this section the term "Detroit-based" shall indicate the physical and economic relationship to Detroit determined by the payment of: 1) City income taxes on the towers profits; and 2) City property taxes on the towers vehicle storage lot, yard, or garage.

(c) All towing services performed by police authorized towers under this chapter shall be rendered with tow trucks clearly marked with the tow company's name, address, and telephone number. No private tow truck shall bear words which may be reasonably construed as indicating or suggesting that it is a City, Police Department, or other police agency vehicle or police authorized tow vehicle.

Sec. 55-2-83. Towing fees.

(a) No person performing police authorized towing or storage service on such wrecked or vehicle shall charge fees in excess of the rates set by resolution of City Council. Such towing fee may consist of a flat rate hook-up fee plus an additional charge for each mile a vehicle is towed beyond one mile. Storage fees may be set on a per *diem* basis. The City Council may establish, by resolution, maximum fees for dolly tows, standard rates for police authorized towing to the City auto pound(s) in lieu of the normal rates, excess time spent at the scene of a tow, separate fees for accident and non-accident tows to the curb or nearest side street, "dry runs" when the tower appears at the request of the police but does not perform an otherwise compensable towing task through no fault of the tower, and other necessary services.

(b) Towing rate charges authorized by City Council resolution shall become effective at the beginning of the next fiscal year or as near thereto as the City Council finds practicable.

Sec. 55-2-84. One hook-up fee for successive tows.

The towing rates resolution may provide that when a vehicle is transported by a tower or towers summoned by the police, only one hook-up fee may be charged, notwithstanding that the vehicle may have been successively transported by the tower(s) from the traveled portion of a street, highway, or freeway to a position at or on the curb or onto the nearest side street, and then to a destination requested by the owner or permitted by the police officer in charge.

Sec. 55-2-85. When authorized.

(a) No person shall perform any police authorized towing of any wrecked or disabled vehicle or any vehicle for safekeeping pursuant to Section 252d of the Michigan Vehicle Code, being MCL 257.252d, which is incorporated by reference into Article III of this chapter, without first having obtained written permission on forms approved by the Police Department, from the driver or owner of the vehicle or until the Detroit police officer investigating the wrecked or disabled vehicle, or vehicle subject to removal, shall have completed his or her investigation, and has given written permission for the towing service. A copy of the completed permission form shall be given to the authorizing person. Any person performing police authorized towing shall maintain a record of completed permission forms of all such towing for a period of six months. Completed forms must show total fees charged for services rendered.

(b) The tower shall provide the vehicle owner or driver with a copy of the towing rate schedule approved by City Council.

Sec. 55-2-86. Requirements.

(a) During a police authorized tow, as defined in Section 55-1-5 of this Code, the tower shall remove the vehicle from the traveled portion of the street, highway, or freeway:

(1) To a position at or on the curb or onto the nearest side street in order to remove the vehicle for the safety, health and welfare of the persons using the traveled portion of the City's streets, highways, or freeways; or

(2) To destination requested by the owner or driver; or

(3) To the City auto pound or precinct station at the direction of the police officer in charge in accordance with Article II, Division 4 of this chapter, or police impoundment pursuant to Section 252d of the Michigan Vehicle Code, being MCL 257.252d, which is incorporated by reference into Article III of this chapter; or

(4) The private storage lot, yard or garage of the police authorized tower at the direction of the police officer in charge in the case of a wrecked or disabled vehicle or any vehicle for the safekeeping pursuant to MCL 257.252d, provided, that the private storage lot, yard or garage shall be located within the boundaries of the City and, provided further, that the driver or other person in charge of the vehicle is by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal or determine where the vehicle should be taken or is not otherwise immediately available to make such a decision. The towing and storage rates for such tow shall not exceed the rate established by resolution of the City Council after notice and hearing.

(b) A police authorized tow:

(1) Shall include the removal of all debris from the street, highway, or freeway; and

(2) Shall be made by the shortest and best legal route.

(c) In the case of a vehicle to be towed to a tower's private storage lot, yard or garage under Subsection (a)(4) of this section, the tower shall prepare and sign an inventory of the contents and equipment of the vehicle on a multi-copy form approved by the Police Department. The police officer in charge shall sign the completed form as witness to the inventory and the Police Department shall retain the signed original. The form shall indicate the location where the vehicle owner may reclaim the vehicle. The tower shall retain one copy of the signed form and mail one copy to the vehicle owner or driver within 48 hours of the date the tow is performed.

Sec. 55-2-87. Payment.

(a) In the case of a vehicle towed to an owner- or a driver-requested destination or to a tower's private storage lot, yard or garage under Section 55-2-66(a)(2) or Section 55-2-66(a)(4) of this Code, the tower shall pursue payment for services rendered from the owner or driver of the vehicle and the City shall assume no responsibility for payment or collection of the tow bill.

(b) The Police Department shall make arrangements to pay a police authorized tower for each tow of a vehicle to the City auto pound(s) or precinct station under Section 55-2-66(a)(3) of this Code, for tows of illegally parked vehicles and for services for which payment by the vehicle owner is exempted by this Code. The Board of Police Commissioners may specify, with City Council approve and subject to Subsection (a) of this section, other circumstances under which the Police Department may arrange to pay the tow bill. Payment of a tow bill by the Police Department shall not relieve the vehicle owner of his or her responsibility for payment and the owner shall reimburse the City for the amount of such bill except as a payment by the owner is exempted under Section 55-2-69 of this Code. In accordance with Section 2-111 of the Charter, the Board of Police Commissioners shall establish a procedure by which this subsection shall be implemented and administered.

Sec. 55-2-88. Storage of vehicles generally.

(a) All wrecked or disabled vehicles removed from any freeway or from the scene of any accident in the City and which are being stored for the driver or owner must be reported by the tower to the Police Department within 24 hours. The Police Department shall maintain for a period of six months a record of all such vehicles. The list shall include a description of the vehicle, the registration plate number, and the place of storage. This information shall be given to the Police Department at the time the storage is reported.

(b) Any place where wrecked or disabled vehicles are stored shall post the name, address, and telephone number of the operator of the business and the hours that the business is open.

Sec. 55-2-89. Release of stored vehicle.

Upon the presentation of proof of ownership and payment of permissible charges for towing and storage, no person shall refuse to release promptly and willingly any vehicle which is claimed by any owner or his or her representative.

Secs. 55-2-90 — 55-2-100. Reserved.

**ARTICLE III. MICHIGAN VEHICLE CODE AND MICHIGAN
UNIFORM TRAFFIC CODE**

Sec. 55-3-1. Adoption of Michigan Vehicle Code.

(a) In accordance with Section 3(k) of the Michigan Home Rule City Act, being MCL 117.3(k), the Michigan Vehicle Code, being MCL 257.1 through 257.923, as subsequently amended, is hereby adopted and incorporated by reference into this Code as if fully set out herein.

(b) The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, that no ordinance violation under the Michigan Vehicle Code shall be punishable by more than 93 days imprisonment except as provided for in Section 55-3-2 of this Code.

(c) A complete copy of the code is available for public inspection in the Office of the City Clerk.

Sec. 55-3-2. Adoption of MCL 257.625(1)(c) — Operating with an alcohol content of .17 or more.

(a) In accordance with Section 3(k) of the Michigan Home Rule City Act, being MCL 117.3(k), Section 625(1)(c) of the Michigan Vehicle Code, being MCL 257.625(1)(c), as subsequently amended, is hereby adopted and incorporated by reference into this Code as if fully set out herein.

(b) Subsection (a) of this section shall be punishable by one or more of the following:

- (1) Community service for not more than 360 hours.
- (2) Imprisonment for not more than 180 days.
- (3) A fine of not less than \$200.00 or more than \$700.00.

Sec. 55-3-3. Adoption of the Michigan Uniform Traffic Code for Cities, Townships and Villages.

(a) In accordance with Section 1 of the Michigan Uniform Traffic Code, MCL 257.951, the Michigan Uniform Traffic Code for Cities, Townships and Villages, R 28.1001 *et seq.*, of the Michigan Administrative Code, as subsequently amended, is hereby adopted and incorporated by reference into this Code as if fully set out herein.

(b) The penalties provided by the Michigan Uniform Traffic Code for Cities, Townships and Villages are adopted by reference, provided, that no ordinance violation shall be punishable by more than 93 days imprisonment.

(c) A complete copy of the code is available for public inspection in the Office of the City Clerk.

Secs. 55-3-4 — 55-3-20. Reserved.

**ARTICLE IV. LOCAL REGULATIONS
DIVISION 1. GENERALLY**

Sec. 55-4-1. Exercise of police power in enactment of local regulation.

(a) In accordance with Section 606 of the Michigan Vehicle Code, being MCL 257.606, the City exercises its police power in enacting the regulations that are contained in this article.

(b) In accordance with Section 605 of the Michigan Vehicle Code, being MCL 257.605, the City affirms that the provisions of this article do not conflict with the Michigan Vehicle Code or the Michigan Uniform Traffic Code but are additional regulations tailored to the needs of the City.

Secs. 55-4-2 — 55-4-10. Reserved.

DIVISION 2. OPERATION OF BICYCLES

Sec. 55-4-11. Operation of bicycles — Persons under twelve years of age.

No person under the age of 12 years shall operate a bicycle upon any street, highway or alley of the City, provided, that such person under twelve 12 years of age may operate a bicycle on the sidewalks of the city.

Sec. 55-4-12. Same — Persons twelve to seventeen years of age.

Any person over the age of 12 years and under the age of 17 years may operate a bicycle upon the streets, highways, and alleys of the City, provided, that such person has in his possession the written consent of the parent or guardian to do so.

Sec. 55-4-13. Same — Police to notify parents of violations.

If there is any violation of Section 55-4-21 or Section 55-4-22 of this Code, the Police Department shall notify the parent or guardian of the violation, giving the details of the

violation, and shall recommend the confiscation of the bicycle by the parent or guardian for a period of not more than six months.

Secs. 55-4-14 — 55-4-30. Reserved.

DIVISION 3. STOPPING, STANDING, AND PARKING

Sec. 55-4-31. Compliance with signs.

(a) Where signs prohibiting stopping are installed, no operator shall stop, stand, or park a vehicle in such designated space, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or a traffic-control device.

(b) Where signs prohibiting standing are installed, no operators shall stand or park a vehicle in any such designated place.

(c) Where signs prohibiting parking are installed, no operator shall park a vehicle in such designated place.

(d) Where zones and entrances are designated for standing or stopping of vehicles and the regulations are established by signs, then they shall be effective only during those periods when such buildings or property are operating. Where these zones or entrances are established on streets upon which the standing of vehicles is prohibited during designated periods by one or more such general restriction signs installed in the same block, the privilege of using such zones or entrances is denied during these hours.

(e) Notwithstanding the provisions of this or other sections of this chapter, commercial vehicles may park in loading zones and no parking zones under any of the following conditions:

(1) For the length of time required, up to a maximum of one-half (1/2) hour for the expeditious loading or unloading, delivery, or pick-up of goods, wares, merchandise, or passengers at an address within the block where the vehicle is parked;

(2) For the performance of business or commercial service by a licensed contractor or service establishment at an address within the block where the vehicle is parked for the time needed to complete the service, provided, that, while parked, the vehicle shall prominently display a written notice of the location where the service is being performed; or

(3) To render authorized emergency service, or service by a government agency or utility;

(4) For the use of a vehicle at a public works or construction site, while the work is in progress; or

(5) Where a vehicle is disabled pursuant to Section 55-14-7 of this Code; or

(6) Where the vehicle is parked to avoid conflict with any law enforcement activity, or in compliance with traffic control device or direction from a police officer.

Sec. 55-4-32. Parking on public market grounds.

No person shall park his or her vehicle on the public market grounds during market hours, except while he is transacting legitimate market business in such markets.

Sec. 55-4-33. Parking on footwalks, bridle paths, sidewalks, grass plots, dividing strips, or planted places or parks and boulevards prohibited.

No person shall park, stand, or stop a vehicle on the footwalks, bridle paths, sidewalks, grass plots, dividing areas of divided highways of planted places of any park or boulevard, or park a vehicle adjacent to a dividing area within a street or boulevard, except in such areas as may be designated by official signs for the parking of automobiles.

Sec. 55-4-34. Parking at airport.

No operator shall park, stand, or stop a vehicle on any portion of the premises of the airport of the City where official signs are installed prohibiting parking, standing or stopping, except when in compliance with the directions of any officer or traffic-control device.

Sec. 55-4-35. Parking on board of education property.

No operator shall park, stand, or stop a vehicle on any portion of the premises of the Board of Education of the City where official signs are installed prohibiting parking, standing or stopping, except when in compliance with the regulations upon signs or when in compliance with the directions of an officer or traffic-control device. All drives on property of the Board of Education shall be defined, within the intent and for the purposes of this chapter, as highways, but shall not be open to public travel.

Sec. 55-4-36. Parking on private property.

It shall be unlawful for any person to park any motor vehicle on any private property without the express or implied consent, authorization or ratification of the owner, holder, occupant, lessee, agent or trustee of such property. Complaint for the violation of this section shall be made by the owner, holder, occupant, lessee, agent or trustee of such property.

Sec. 55-4-37. Parking on Housing Commission property.

(a) It shall be unlawful for any person to park or place any motor vehicle on the streets, highways, service drives, parking spaces or in any other place upon any hous-

ing projects or other property operated or under the control of the Housing Commission of the City, unless such motor vehicle shall have been duly licensed by proper authority for the current year. Any vehicle parked in violation of the terms of this section may be impounded by the police, and the provisions of Article II, Division 4, of this chapter shall be applicable.

(b) After 30 days of such vehicle being so impounded, the vehicle shall be deemed to have been abandoned, and the provisions of Sections 252a through 252m of the Michigan Vehicle Code, being MCL 254.252a through 254.252m, which are incorporated by reference into Article III of this chapter, shall be applicable.

Sec. 55-4-38. Parallel parking; driving vehicle forward into parking space so as to interfere with vehicle backing into such space.

(a) Unless otherwise ordered by signs, vehicles shall stop, stand or be parked parallel to the curb, and shall be placed so that the right side of the vehicle shall be adjacent to the curb, and neither right wheel shall be more than 12 inches from the curb, provided, that on one-way streets, the left side of the vehicle when parked at the left curb, shall be adjacent to the curb, and neither left wheel shall be more than 12 inches from the curb.

(b) It shall be unlawful for an operator of a vehicle to drive forward into a parking space so as to interfere with the progress of a vehicle attempting to back into such parking space.

Sec. 55-4-39. Parking of commercial vehicles and other specified vehicles and equipment on residential streets prohibited; taxicab exception; parking of commercial vehicles on commercial streets for one hour permitted; exceptions; temporary parking of motor homes, pickup campers, and coupled trailer coaches on residential street permitted.

(a) It shall be unlawful to park any commercial vehicle, bus, taxicab, trailer (coupled or not), pole trailer (coupled or not), semi-trailer (coupled or not), motor home, pickup camper, trailer coach (coupled or not), recreational equipment, or limousine on any residential street or service drive in the City at any time, including Sundays and holidays, provided, that the owner or lessee of a taxicab may park not more than one operable taxicab on the residential street or service drive within the block of his or her one-family or two-family residence where the residence of such owner or lessee does not have a front yard driveway.

(b) It shall be unlawful to park any commercial vehicle, bus, taxicab, trailer (coupled or not), pole trailer (coupled or not), semi-trailer (coupled or not), motor home, pickup camper, trailer coach (coupled or not), recreational equipment, or limousine on any commercial street in the City where parking is allowed, for a period longer than one hour, including Sundays and holidays.

(c) The prohibitions in this section shall not apply to the following:

(1) The expeditious loading or unloading, delivery, or pick-up of goods, wares, merchandise, or passengers at an address within the block where the vehicle is parked;

(2) The performance of business or commercial service by a licensed contractor or service establishment at an address within the block where the vehicle is parked for the time needed to complete the service, provided, that, while parked, the vehicle shall prominently display a written notice of the location where the service is being performed;

(3) The rendering of authorized emergency service, or service by a government agency or public utility;

(4) The use of a vehicle at a public works or construction site, while the work is in progress;

(5) A vehicle that is disabled pursuant to Section 55-2-67 of this Code; or

(6) A vehicle that is parked to avoid conflict with law enforcement activity, or in compliance with a traffic control device or direction from a police officer.

This section shall not apply to private passenger vehicles that have commercial license plates, trailers no longer than eight feet in length that are coupled to a permitted vehicle, or pickup trucks or vans that have commercial license plates unless the pickup truck or van has been modified substantially to perform primarily a specific commercial or industrial task. Substantial modification to pickup trucks and vans includes, but is not limited to, the addition of a cherry-picker, hoist, crane, or commercial rack designed for holding glass, but does not include the attachment of a snowplow or standard commercial rack, or enclosures, caps, covers, or boxes attached over the exterior bed of the truck, that are used to hold or carry items including, but not limited to, ladders, work supplies, or tools.

(d) Motor homes, pickup campers, and coupled trailer coaches may be parked on any residential street, for up to 24 hours, only during the loading or unloading of such vehicle for the purpose of trip preparation or trip completion.

Sec. 55-4-40. Parking prohibited on certain streets between 3:00 a.m. and 7:00 a.m.

Upon the erection of signs sufficient to apprise the ordinarily observant person, it shall be unlawful to park a vehicle any day between the hours of 3:00 a.m. and 7:00 a.m. of the same day on those sections or segments of the public highways or streets within an area bounded by the Detroit River, the Lodge Freeway (US-10), the Fisher Freeway (I-75) and the Chrysler Freeway (I-75), or on the following streets or avenues:

Alger from Brush to Beaubien
 Brush from Holbrook to south limits of Highland Park
 Brush from Holbrook to Fisher Freeway
 Cabacier from Jefferson West to Fort
 Cass from Fisher Freeway to Grand Boulevard West
 Chandler Park Drive from Dickerson to Alter Road
 Chandler Park Drive from Whittier to Moross
 Charlevoix from Jos. Campau to east City limits
 Chicago West from Nardin to Spinoza
 Conant from Carpenter to Dequindre
 Conner from Jefferson East to McNichols East
 Davison from McNichols East to east limits of Highland Park
 Davison from Wyoming to west limits of Highland Park
 Dexter from Grand Boulevard West to Fenkell
 Dix from Oakwood to Dearborn
 Dix from Woodmere to west City limits
 Edsel Ford Freeway Service Drives
 Eight Mile Road from Five Points Road to Kelly Road
 Fenkell from Rosa Parks Boulevard to Telegraph
 Forest from Wabash to St. Antoine
 Forest from Russell to McClellan
 Fort from Sixth to south City limits
 Fourteenth from Fort to Oakman Boulevard
 Grand Boulevard from West Jefferson to East Jefferson
 Grand River from Fisher Freeway to Five Points Road
 Grand River left turn cut-off at Chicago
 Gratiot from Chrysler Freeway to Eight Mile Road East
 Gratiot left turn cut-off at Conner
 Gratiot left turn cut-off at Van Dyke
 Greenfield from south City limits to Eight Mile Road West
 Greenlawn from Davison to Schoolcraft
 Hamilton from Pallister to south limits of Highland Park
 Harper from Mt. Elliott to Morang
 Holbrook from Brush to Beaubien
 James Couzens Service Road from Wyoming to Eight Mile Road West
 Jefferson East from Chrysler Freeway to east City limits
 Jefferson West from Civic Center Drive to Cabacier
 Jefferson West from West Grand Boulevard to west City limits
 John C. Lodge Freeway Service Drives
 John R from Fisher Freeway to south limits Highland Park
 Jos. Campau from Jefferson East to Gratiot
 Joy Road from Livernois to west City limits
 Kelly from Morang to Eight Mile Road East
 King from Brush to Beaubien
 Lafayette from Sixth to Fisher Freeway
 Lahser from Outer Drive to Eight Mile Road West
 Larned from Mt. Elliott to Chrysler Freeway
 Livernois from Jefferson West to Eight Mile Road West
 Linwood from Oakman to Fenkell
 Mack from Wayburn to east City limits
 Merrill Plaisance from Woodward to Pontchartrain
 McClellan from Forest to Warren
 McDougall from Jefferson East to Gratiot

McGraw-Weir from Michigan to Wyoming
 McNichols from Gratiot to Five Points Road
 Michigan from Sixth to Wyoming
 Miller from Fort to Dearborn
 Moross from Mack to Seven Mile Road East
 Mound from Caniff to Eight Mile Road East
 Mt. Elliott from Jefferson East to Gratiot
 Oakman from Linwood to city limits of Highland Park
 Oakwood from Fort to west City limits
 Outer Drive from south City limits to Livernois
 Outer Drive from Conner to Mack
 Outer Drive from Dequindre to McNichols
 Outer Drive from Ecorse city limits to Dumfries
 Plymouth from Grand River to west City limits
 Pontchartrain from McNichols West to Seven Mile Road West
 Rosa Parks Boulevard from Fort West to Fenkell
 Schoolcraft from Ewald Circle to Telegraph
 Second from Fisher Freeway to south limits of Highland Park
 Second from McNichols to Merrill Plaisance
 Seven Mile Road from Five Points to Moross Road
 Schaefer from River Rouge city limits to Mellon
 Schaefer from Tireman to Schoolcraft
 Southfield Freeway Service Drives
 Telegraph from Puritan to Eight Mile Road West
 Temple from Woodward to John C. Lodge Freeway
 Third from Grand River to south limits of Highland Park
 Third from McNichols West to Merrill Plaisance
 Tireman from Grand Boulevard West to Greenfield
 Van Dyke from Forest East to Eight Mile Road East
 Vernor from west City limits to Fourteenth
 Vernor from Gratiot to east City limits
 Wabash from Warren to Forest
 Warren from Ann Arbor Trail to Greenfield
 Warren from west City limits to Mack
 Woodward from Fisher Freeway to south limits of Highland Park
 Woodward from McNichols to Eight Mile Road
 Wyoming from Tireman to Eight Mile Road
 Wyoming from PC Railroad to 130 feet south of Michigan.

Sec. 55-4-41. Parking between lot line and curb.

No person shall stop, stand, or park a vehicle on that portion of the highway located between the property lot lines and curb, unless permitted by action of the Department of Public Works, provided, that in residential districts where the distance between the curb and the sidewalk is greater than 20 feet and where a curb cut and driveway approach has been constructed, it shall be lawful to park one motor vehicle, other than a commercial vehicle, in such a driveway approach in a manner so as to be at right angles to the curb and so as not to extend over either the curb or sidewalk. Such parking in a driveway approach shall be restricted to the owners or occupants of the property contiguous thereto or to persons having permission of such owners or occupants to so park.

Sec. 55-4-42. Parking to unload freight.

When practicable, merchandise and freight shall be discharged and loaded from the side of the vehicle nearest the curb. When such handling is impracticable because of the size or weight of the packages, merchandise or freight, the vehicle may back to the curb, but the vehicle shall not stand at an angle which will obstruct the operation of other vehicles.

Sec. 55-4-43. Standing or parking in loading zones.

Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, no operator shall stop a vehicle for any purpose or length of time, other than for the expeditious loading or unloading of passengers, or stand a commercial vehicle for any purpose other than for the reasonable time to unload or load materials or merchandise in any loading zone, during the hours when the provisions applicable for loading zones are in effect. Except as provided in this section, no operator shall stand or park a vehicle in a loading zone.

Sec. 55-4-44. Parking in "pick-up zones."

(a) Motor vehicles may be parked in a "pick-up zone" for a period of time not to exceed 15 minutes, for the purpose of loading or unloading merchandise or materials of a heavy or bulky nature only in commercial establishments located adjacent to such pick-up zone.

(b) It shall be unlawful for motor vehicles to stand or park in such pick-up zones for any purpose except for loading or unloading.

(c) It shall be unlawful for motor vehicles permitted under this section to park in a pick-up zone for a period exceeding 15 minutes at any one time.

Sec. 55-4-45. Parking of horse-drawn vehicles.

When a horse-drawn vehicle is backed to the curb, the operator shall turn the horses in the direction in which the traffic is proceeding with the horses' heads at a right angle to the vehicle.

Secs. 55-4-46 — 55-4-60. Reserved.**DIVISION 4. PARKING METERS****Sec. 55-4-61. Off-street parking sites defined as highways.**

Off-street parking sites, owned by the City wherein parking is regulated by meters, shall be deemed highways as defined in Section 55-1-3 of this Code, but shall be open only as access roadways to the parking spaces provided.

Sec. 55-4-62. Authority of Department of Public Works to establish parking meter zones; limitation on use of parking meters.

The Department of Public Works is hereby authorized and directed to establish, from time to time, where, in its opinion, traffic conditions warrant the same, zones to be known as parking meter zones, upon such streets of the City as are selected by the department for the location of such zones, and shall cause parking meters to be installed and parking meter spaces to be designated as provided in this article. The City Council shall approve all parking meter locations where the time limit for parking is for more than two hours. Such parking meters may be used only to aid the enforcement of the applicable regulations in this division.

Sec. 55-4-63. Signals to indicate legal parking time and expiration thereof; maximum amounts of parking time for designated payment.

(a) Each parking meter shall be installed and set to display, either automatically upon the deposit of a United States coin therein or by using a Visa or Mastercard credit or debit card, a signal indicating legal parking or standing for a period of time not exceeding the limit of parking time which has been or may be established for that area or zone of the street upon which such parking meter is installed, and shall continue to operate from the time of deposit of such payment therein until the expiration of the proportion of time as provided in the following schedule:

(1) Five-cent coin, three minutes of time, not to exceed meter time limit;

(2) Ten-cent coin, six minutes of time, not to exceed meter time limit;

(3) Twenty-five cent coin, fifteen minutes of time, not to exceed meter time limit;

(4) Debit or credit card, maximum time only, at single space meters that accept credit cards; and

(5) Debit or credit card, minimum \$1.00, not to exceed meter time limit at parking pay station.

(b) Each meter shall be designed and constructed so that, upon the expiration of such legal parking time, the meter indicates, by a mechanical operation and the display of proper signal, that the lawful parking period has expired.

Sec. 55-4-64. Making payment in meters; use of unexpired time on meters.

When any vehicle is parked or standing in any space alongside of, or next to which, a parking meter is located, in accordance with the provisions of this division, the operator of such vehicle, upon entering the parking space, shall immediately make payment, as provided in Section 55-4-63 of this Code, in such parking meter, and shall place such meter in operation either automatically or by turning a mechanical device designated to place such meter in operation. The parking space then may be lawfully occupied by such vehicle during the period of parking or standing time which has been prescribed for the part of the street on which such parking space is located. If such vehicle shall remain parked or shall remain standing in any such parking space beyond the parking or standing time limit fixed for each parking space, the parking meter shall display a sign or signal showing illegal parking or standing and, in such event, the vehicle shall be considered as parked overtime and beyond the period of legal parking or standing time, the parking or standing of the vehicle where any such meter is located shall be a violation of this division. Any person placing a vehicle in a parking meter space, which meter indi-

cates that unused time has been left thereon by the previous occupant of the space, shall not be required to make payment for the use of such unused time, provided, that after the expiration of such unused time, it shall be unlawful to permit this same vehicle to occupy such space until the lapse of one legal period of time which has been prescribed for the space.

Sec. 55-4-65. Parking beyond legal time; overtime parking.

It shall be unlawful for any person to cause, allow, or permit any vehicle to stand or to be parked overtime beyond the period of legal parking or standing time established for any parking meter zone.

Sec. 55-4-66. Deposit of slugs, device, or substitute in meters.

It shall be unlawful to deposit, or cause to be deposited, in any parking meter any slug, device or substitute for any United States coin.

Sec. 55-4-67. Damage to or tampering with meters.

It shall be unlawful for any person to deface, damage, tamper with or open, or wilfully break, destroy or impair, the usefulness of any parking meter installed under the provisions of this Code.

Sec. 55-4-68. Disposition of funds from meters.

The payments required to be made in parking meters, as provided in this division, are hereby levied and assessed to provide for the proper regulation and control of traffic upon the streets. The payments made in such meters shall be collected by the duly authorized agents of the City Treasurer and shall be deposited by the City Treasurer in a special fund to be known as "parking meter fund" from which fund, upon vouchers approved by the Finance Director, payment shall be made to cover the cost of purchasing, acquiring and installing parking meters, the cost of supervision, inspection service, maintenance and supply of parts, and the cost of collection and the enforcement of this article. Any balance remaining after use of the funds as provided in this section shall be used, upon due appropriation by the City Council, for the acquisition and installation of other traffic-control devices and for the acquisition, construction, and operation of off-street parking facilities.

Secs. 55-4-68 — 55-4-80. Reserved.

**DIVISION 5. SIZE, WEIGHT
AND LOAD OF VEHICLES
Subdivision A. Generally**

Sec. 55-4-81. Prohibition and restriction of trucks operating, where posted, on highways and streets in the City.

Upon the erection of proper signs sufficient to apprise the ordinarily observant person, it shall be unlawful to operate, permit or cause to be operated, upon any of the highways or streets in the City, any truck, provided that, in accordance with the posted signs, any such truck may be operated upon such highways or streets in the City for the shortest possible distance when necessary to serve any property located within or upon such highways or streets or contiguous thereto or when necessary to cross such highways or streets.

Sec. 55-4-82. Special permit required for operation of oversize or overweight vehicles on any highways or streets in the City.

(a) At its discretion the Police Department may issue, upon application in writing and good cause being shown, a special permit, which authorizes the applicant to operate upon, or remove from a highway or street in the City a vehicle or combination of vehicles that are:

(1) Of a size, weight, or load exceeding the maximum specified in this article according to the following classifications:

(a) Class "A": Not over 15 tons gross, single axle weight, but over 65 feet overall in length, or over 96 overall in width or over 13 feet 6 inches overall in height, or projecting over three feet in front or over four feet in rear. Before a special permit shall be issued, the applicant shall obtain and deliver to the Buildings, Safety Engineering and Environmental Department a surety bond in the sum of \$1,500.00, which is approved by the Corporation Counsel, in order to indemnify or reimburse the City of Detroit for damage that arises out of the use of City highways or streets; or

(b) Class "B": Over 15 tons gross, single axle weight, over 80 feet overall in length, or over 12 feet overall in width or over 15 feet overall in height, or projecting over five feet in front or over 20 feet in rear. Before a special permit shall be issued, the applicant shall obtain and deliver to the Buildings, Safety Engineering and Environmental Department a surety bond in the sum of \$1,500.00, which is approved by the Corporation Counsel, in order to indemnify or reimburse the City of Detroit for damage that arises out of the use of City highways or streets. A vehicle, which carries Class "B" loads;

(1) Is subject to an annual inspection by the Department of Public Works to demonstrate the vehicle's ability to carry such loads. In accordance with Section 9-507 of the Carter, the Director of the Department of Public Works shall establish an inspection fee, which shall be approved by City Council through adoption of a resolution; and

(2) Shall travel at the time of day and over the specified street route designated in the permit and be accompanied by an inspector from the Department of Public Works;

(2) Otherwise not in conformity with the provisions of this article.

(b) The application for special permit shall be on a form provided by the City of Detroit Police Department and specifically describe the vehicle or vehicles and load to be operated or moved and the particular route over which the subject vehicle or vehicles will travel.

(c) The Police Department may also issue such special permits upon payment of a fee that authorizes the operation of the following:

(1) Traction engines or tractors having movable track with transverse corrugations upon the periphery of those movable tracks on farm tractors;

(2) Other farm machinery otherwise prohibited under this article; or

(3) A vehicle of a size or weight otherwise prohibited under this article that is hauling farm machinery to or from a farm.

(d) Any permit issued under this section shall specify the trip or trips and date or dates, including the time of day or night traveled, for which it is to be valid, and, when necessary, the Police Department may restrict or proscribe conditions of operation of such vehicle or vehicles to protect public safety or to ensure against undue damage to the road foundations, surfaces, structure or installations and require a reasonable inspection fee and such other security as may be deemed necessary to compensate for any damages caused by such movement. A special permit may be issued on an annual basis.

(e) Except as otherwise provided in this section, the fee for a single trip shall be \$50.00 and for multiple trips or on an annual basis, shall be \$100.00.

(f) A special permit for any vehicle or combination of vehicles of a size exceeding the maximum specified in this article, but not exceeding the normal loading maximum specified in this article, or are otherwise not in conformity with this article shall be \$15.00 for a single trip and \$30.00 for multiple trips or on an annual basis.

(g) After issuance, every special permit shall be carried in the respective vehicle, or combination of vehicles, and shall be available for inspection by any police officer or authorized agent.

(h) Any special permit to move a mobile home under this section and a person who is issued a special permit to move a mobile home under this section are subject to Section 719a of the Michigan Vehicle Code, being MCL 257.719a, which is incorporated by reference into Article III of this Chapter.

Sec. 55-4-83 — 55-4-90. RESERVED.

Subdivision B.

Weights, Loads and Wheel Pressures

Sec. 55-4-91. City license or other permit required; exception; violation; penalty.

(a) Except as provided in Subsections (c), (d) and (e) of this section, the owner or operator of every vehicle regulated by this division, which has a gross weight, including the weight of the vehicle and of the load to be carried, of eight thousand (8,000) pounds or more, shall obtain an annual City permit by written application to the Buildings, Safety Engineering and Environmental Department Business License Center. The applicant shall provide the following information on the City's application form:

(1) Owner's name and address;

(2) Vehicle manufacturer;

(3) State license number;

(4) Type of business;

(5) Rated capacity of the vehicle in tons;

(6) Vehicle weight without freight;

(7) Number of wheels;

(8) Number of tires; and

(9) Width of all tires.

(b) Every vehicle required to be licensed under this section shall have attached in some conspicuous place, a license decal embossed with "City of Detroit License No. _____, 20 _____," and, as specified by this division, containing the name and address of the company, and the actual weight of the vehicle including the equipment and the weight of the load capacity.

(c) Any vehicle engaged in interstate operation, or registered with or for which a fee is paid to the Michigan Public Service Commission, shall not be required to obtain the license specified in this section.

(d) Any vehicle used in an intercity operation shall not be required to obtain a license specified in this section if the municipality where it is registered requires such vehicle to obtain a license or permit and pay a fee similar to that specified in this section.

(e) Any vehicle paying a license or registration fee under Section 30-1-18 of this Code shall not be required to pay the fee specified in this section or any fee be payable for any trailer or semi-trailer.

(f) An application fee shall be charged for the processing and issuance of a license under this division. In accordance with Section 9-507 of the Charter, a fee schedule for the license shall be established by the Buildings, Safety Engineering and Environmental Department based on the cost of issuance, enforcement, and administration of the licensing regulations and approved by the City Council. The fee schedule shall be posted at the Department's Business License Center.

(g) Each licensee shall pay an annual application fee for each license renewal, upon the expiration date of the current license.

(h) Upon payment of the application fee and approval of the license application by the department, an annual license shall be issued.

(i) Licenses issued under this section shall expire on annual basis and, upon application, be renewed by the Buildings, Safety Engineering and Environmental Department.

(j) person who violates this section is guilty of a misdemeanor.

Sec. 55-4-92. Prohibition on vehicles carrying hazardous material on certain highways and streets in the City; special civil penalty.

(a) Any vehicle used for the hauling or distribution of hazardous material, as defined in Section 55-1-3 of this Code, upon the John C. Lodge Freeway shall be prohibited between West Larned and Griswold Streets, which includes the portion of said freeway going under Cobo Center, and between Wyoming and West Eight Mile Road being the portion of said freeway with continuous high vertical walls, but not including service drives.

(b) Any truck pulling a trailer, a truck tractor pulling a semi-trailer and trailer combination, or a truck tractor pulling two semi-trailers, which is full, is prohibited from transporting hazardous material as defined in Section 55-1-3 of this Code, using the John C. Lodge Freeway to travel south of the Howard Street exit.

(c) Any truck pulling a trailer, a truck tractor pulling a semi-trailer and trailer combination, or a truck tractor pulling two (2) semi-trailers, which is full, transporting hazardous material, as defined in Section 55-1-3 of this Code, south of Forest Avenue, shall be limited to a routing via East and West Vernor Highway.

(d) All deliveries of Class I Liquids shall be prohibited south of Forest Avenue from any truck pulling a trailer, a truck tractor pulling a semi-trailer and trailer combination, or a truck tractor pulling two semi-trailers, which are full and all deliveries of Class II and III-A Liquids from such vehicles may be made in that area only when special permission has been granted by the Fire Marshall.

(e) Any driver or owner of a vehicle who violates this section is responsible for a civil infraction punishable by a fine of not more than five hundred dollars (\$500.00).

Sec. 55-4-94 — 55-4-100. Reserved.

DIVISION 6. IDLING PROHIBITION FOR COMMERCIAL VEHICLES EXCEEDING GROSS VEHICLE WEIGHT RATING OF 8,500 POUNDS

Sec. 55-4-101. Applicability.

This division shall apply to all on-road, commercial vehicles that are propelled by diesel fueled and non-diesel fueled engines, which exceed a gross vehicle weight rating of 8,500 pounds.

Sec. 55-4-102. Prohibition.

A person who, or municipality or corporate entity which, owns, operates, or leases a commercial vehicle, including a bus or truck, which exceeds a gross vehicle weight rating of 8,500 pounds, the motive power for which is provided by a diesel or non-diesel fueled engine, or owns, leases, or occupies land and has the actual or apparent dominion or control over the operation of a commercial vehicle, including a bus or truck present on such land, the motive power for which the commercial vehicle is provided by a diesel or non-diesel fueled engine, shall not allow or permit the idling, as defined in Section 55-1-3 of this Code, of said vehicle's engine for more than five consecutive minutes per 60-minute period, except as permitted by Section 55-4-103 of this Code.

Sec. 55-4-103. Exceptions.

The prohibition in Section 55-4-102 of this Code shall not apply where:

(1) A diesel or non-diesel-fueled commercial vehicle, including a bus or truck, is forced to remain motionless because of the traffic conditions on a public road over which the operator has no control;

(2) Regulations adopted by federal or state agencies that have superseding jurisdiction require the maintenance of a specific temperature for passenger comfort, provided, that the idling time specified in Section 55-4-102 of this Code may be increased, but only to the extent necessary to comply with such regulations;

(3) The idling of a diesel or non-diesel fueled primary propulsion engine is necessary to power work-related mechanical or electrical operations other than propulsion, for example, mixing or processing cargo or straight truck refrigeration, or to perform maintenance, provided, that this exemption does not apply when idling for cabin comfort or to operate non-essential on-board equipment;

(4) Fire, police, and public utility trucks or other vehicles that are performing emergency services;

(5) Trucks owned or operated by persons engaged in mining and quarrying are used within the confines of such person's property;

(6) A diesel-fueled truck is to remain motionless for a period exceeding two hours and, during which period, the ambient temperature is continuously below 25 degrees Fahrenheit or -3.8 Celsius;

(7) A commercial vehicle, as defined in Section 55-1-1 of this Code, that is queued for or is undergoing a state authorized periodic or roadside emissions inspection;

(8) A hybrid electric vehicle, as defined in Section 55-1-3 of this Code, idling for the purpose of providing energy for battery power or recharging another form of energy storage;

(9) Commercial vehicles used for agricultural purposes on a farm; or

(10) Electric, hydrogen, or natural gas powered vehicles.

Sec. 55-4-104. Violations, penalties, and costs.

(a) The operator and/or registered owner of a vehicle who is violating Section 55-4-102 of this Code shall be issued a notice or civil infractions as follows:

(1) First violation: A written warning notice issued to the operator and/or to the registered owner.

(2) Second and subsequent violation: A civil infraction in the amount of \$150.00 issued to the operator and/or a civil infraction in the amount of (\$500.00) issued to the registered owner.

(3) Potential number of violations:

(a) In one 60-minute period, up to three (3) civil infractions may be issued;

(b) In the second continuous 60-minute period, up to four (4) civil infractions may be issued; and

(c) In any subsequent continuous 60-minute period, up to nine (9) civil infractions may be issued.

(d) A person who is found to be responsible for a civil infraction that is used under this division shall be assessed costs in accordance with Section 55-1-81 of this Code.

Sec. 55-4-105 — 55-4-120. Reserved.

DIVISION 7. MISCELLANEOUS REGULATIONS

Sec. 55-4-121. Speed restrictions in alleys.

No operator shall drive through any alley at a speed exceeding 15 miles per hour.

Sec. 55-4-122. Driving with persons or animals in lap prohibited; driver not to be seated on lap of any person.

No operator of a vehicle shall have in his lap any other persons, adult or minor or animal, or be seated in the lap of any person, while the vehicle is in motion.

Sec. 55-4-123. One-arm driving prohibited.

No operator of a vehicle shall have either arm around another person or shall another person have either arm around the operator while the vehicle is in motion.

Sec. 55-4-124. Driver to be seated behind wheel; maximum number of persons in front seat.

No operator shall drive a motor vehicle other than from the position in the front seat directly behind the steering wheel, or drive a motor vehicle with more than two other persons in the front seat with him.

Sec. 55-4-125. Passengers to ride inside vehicles.

(a) No person shall ride in or operate any motor vehicle unless all portions of such person's body are entirely within that portion of the vehicle designed for the carrying of passengers or merchandise or as otherwise permitted by this chapter, provided, that this subsection does not apply to any person whose employment makes it necessary to ride otherwise.

(b) It shall be unlawful for the operator of a motor vehicle to allow any person to ride in such motor vehicle unless all portions of such person's body are entirely within that portion of the vehicle designed for the carrying of passengers or merchandise, provided, that this subsection does not apply to the operator of a motor vehicle whose business makes it necessary for a person to ride otherwise.

Sec. 55-4-126. Climbing on moving vehicles.

No person shall climb onto or hitch on any moving vehicle, with or without the operator's consent, and no operator shall knowingly permit such action.

Sec. 55-4-127. Driving automobiles, bicycles, or motorcycles on parkways, lawns, grass plots, bridle paths, or pedestrian trails, of parks and parkways; exception.

No person shall drive any bicycle, motorcycle or automobile over any parkway, lawn, grass plot, bridle path or pedestrian trails in any park or parkway, except at such places where vehicular roadways are established.

Sec. 55-4-128. Operation of snowmobiles prohibited in public places.

It shall be a misdemeanor to operate a snowmobile on any street, sidewalk, public park, playground, golf course or parkway.

Sec. 55-4-129. Vendors' vehicles to be moved at request of police.

Vendors' vehicles, when standing at the curb where parking is allowed, shall move therefrom at the request of a police officer.

Sec. 55-4-130. Operation of sound cars prohibited in certain areas.

Vehicles operated solely or principally for the purpose of advertising are hereby prohibited from entering the loop district and from operating for more than one block upon any stop street; provided, that the provisions of this section shall not apply to so-called sound cars when operating without sound and without advertising matter thereon.

Sec. 55-4-131. Towing of disabled vehicles on freeways during rush hours prohibited.

No disabled motor vehicle shall be towed on any freeway between the hours of 6:00 a.m. and 9:00 a.m. or between the hours of 3:00 p.m. and 7:00 p.m., provided, that any vehicle disabled on a freeway during such hours may be towed to the nearest exit ramp and thence to the surface streets.

Sec. 55-4-132. Solicitation of towing services prohibited at the scene of accidents and emergencies.

Unless requested to the scene either by a police agency or by person(s) involved in an accident or emergency, it shall be unlawful for any person(s) owning and/or operating a truck or other vehicle as a towing or wrecking service to solicit such business at the scene of an accident or emergency on any surface street in the City, or on any freeway in the City, or on any ramp connecting such freeway to the surface streets in the City during the rendering of police, fire or emergency medical services at the scene of an accident or emergency until after such police, fire or emergency medical services personnel determine that their official business is completed. This section is intended to prohibit wrecking or towing owners and/or operators from soliciting business at the scene of accidents or emergencies and shall not be construed to prohibit wrecking or towing owners or operators from contracting with any person, firm, or corporation, provided, that said owners or operators and their agents or employees do not solicit towing or wrecking contracts at the scene of accidents or emergencies.

Secs. 55-4-133 — 55-4-150. Reserved.

Section 2. All ordinances, or parts of ordinances, which conflict with this ordinance are repealed.

Section 3. This ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 4. Where this ordinance is passed by a two-thirds (2/3) majority of City Council Members serving, it shall be given immediate effect and shall become effective upon publication in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is passed by less than two-thirds (2/3) majority of City Council Members serving, it shall become effective thirty (30) days after publication in accordance with Section 4-118(2) of the 2012 Detroit City Charter.

(J.C.C. p.):

Passed:

Approved:

Published:

Effective:

May 6, 2014

May 19, 2014

June 2, 2014

July 1, 2014

July 1, 2014

JANICE M. WINFREY
City Clerk