

**TOWNSHIP OF CHIKAMING
BERRIEN COUNTY, MICHIGAN**

ORDINANCE NO. 139

Adopted: June 8, 2017

**AN ORDINANCE ESTABLISHING A PARKING VIOLATIONS BUREAU FOR
THE TOWNSHIP OF CHIKAMING.**

THE TOWNSHIP OF CHIKAMING, BERRIEN COUNTY, MICHIGAN ORDAINS:

Section 1.

Pursuant to the Revised Judicature Act, Public Act 154 of 1968, as amended (MCL 600.8395), a Parking Violations Bureau, for the purpose of handling alleged parking violations within the Township, is hereby established. The Parking Violations Bureau shall be under the supervision and control of the Township Clerk.

Section 2.

The Township Clerk shall, subject to the approval of the Board of Trustees, establish a convenient location for the Parking Violations Bureau, appoint qualified Township employees to administer the Bureau and adopt rules and regulations for the operation thereof.

Section 3.

No violation not scheduled in Section 6 of this ordinance shall be disposed of by the Parking Violations Bureau. The fact that a particular violation is scheduled shall not entitle the alleged violator to disposition of the violation at the Bureau and in any case the person in charge of such a Bureau may refuse to dispose of such violation in which case any person having knowledge of the facts may make a sworn complaint before any court having jurisdiction of the offense as provided by law.

Section 4.

No violation may be settled at the Parking Violations Bureau except at the specific request of the alleged violator. No penalty for any violation shall be accepted from any person who denies having committed the offense and in no case shall the person who is in charge of the Bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to such alleged violation. No person shall be required to dispose of a parking violation at the Parking Violations Bureau, and all persons shall be entitled to have any such violation processed before a court having jurisdiction thereof if they so desire. The unwillingness of any person to dispose of any violation at the Parking Violations Bureau shall not prejudice him/her nor in any way diminish the rights, privileges and protection accorded to him/her by law.

Section 5.

The issuance of a traffic ticket or notice of violation by a Police Officer of the Township shall be deemed an allegation of a parking violation. Such traffic ticket or notice of violation shall indicate the length of time in which the person to whom the same was issued must respond before the Parking Violations Bureau. It shall also indicate the address of the Bureau, the hours during which the Bureau is open, the amount of the penalty scheduled for the offense for which the ticket was issued and advise that a warrant for the arrest of the person to whom the ticket was issued will be sought if such a person fails to respond within the time limited.

Section 6.

Violations

Violation	Paid within 10 Days	After 10 Days
Parking at Township Park in violation of Ordinance No. 126, Section 10	\$50.00	\$75.00
Prohibited Parking, <i>signs not required</i>		
too far from curb or edge of road	\$50.00	\$75.00
on sidewalk	\$50.00	\$75.00
in front of drive	\$50.00	\$75.00
within intersection	\$50.00	\$75.00
within 15 feet of fire hydrant	\$50.00	\$75.00
on crosswalk	\$50.00	\$75.00
within 20 feet of crosswalk*	\$50.00	\$75.00
within 30 feet of traffic sign, signal	\$50.00	\$75.00
double parking	\$50.00	\$75.00
blocking emergency exit	\$50.00	\$75.00
Parking Against the Flow of Traffic	\$50.00	\$75.00
Parking in Marked Handicap Space	\$50.00	\$75.00
Parking Prohibited by Sign	\$50.00	\$75.00
Obstructing Traffic	\$50.00	\$75.00

*except the marked crosswalk in the Sawyer business district that crosses Sawyer Road between the Flynn Building and the Sawyer Market to which this does not apply

In the event the owner or driver of any vehicle involved in a violation of this section fails to pay the fine imposed by this section or shall deny that he is guilty of the alleged violation within 20 days, it shall be the duty of the police officer having knowledge of the facts to make a complaint before the district or trial court charging such owner or driver with the alleged violation.

Section 7.

All ordinances or parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

Section 8.

This ordinance was enacted on the 8th day of June, 2017, by the Township Board of Chikaming Township, Berrien County, Michigan, and ordered to take effect on the 17th day of July, 2017, the same being more than thirty (30) days after the date of publication.

Paula Dudiak, Clerk
Township of Chikaming

Attest:

David A. Bunte, Supervisor
Township of Chikaming

CERTIFICATION

I do hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 139, duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a regular meeting held on the 8th day of June, 2017. I further certify that Marske moved the adoption of said ordinance and Sullivan supported said motion. The names and the members of the Township Board and their vote on the foregoing ordinance were as follows:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Sullivan	<u> X </u>			
Marske	<u> X </u>			
Rettig	<u> X </u>			
Dudiak	<u> X </u>			
Bunte	<u> X </u>			

I further certify that the aforesaid ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 16th day of June, 2017, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that a synopsis of the foregoing ordinance was published in full in the Harbor Country News, a newspaper circulated in the Township of Chikaming, Berrien County, Michigan, on the 16th day of June, 2017.

Dated: June 16, 2017

Paula Dudiak, Clerk
Township of Chikaming