

Category: 100 – GENERAL/ADMINISTRATIVE
Number: 134
Subject: Parking Control and Enforcement Ordinance

RESOLUTION 01-13
Amending Resolution 00-02 and Amending Ordinance #51 The Parking Control and
Enforcement Ordinance

WHEREAS, the St. Clair County Board of Commissioners has provided for controls within the County owned and operated parking lots through the adoption of Resolution 90-6, Adopting Parking Control and Enforcement Ordinance; and

WHEREAS, from time to time it is recognized that amendments to this ordinance may be necessary to accommodate changes in building utilization, operational practices and traffic patterns; and

WHEREAS, Article 6, section 2 of Ordinance #51 stipulates that the St. Clair County Board of Commissioners will establish fines for parking violations of County owned lots as needed. The following parking violation fees are hereby established:

- \$5.00 (U.S. Dollars) for the first offense
- \$10.00 (U.S. Dollars) for the second offense
- \$20.00 (U.S. Dollars) for the third offense
- For the 4th and any subsequent offenses the vehicle will be towed away at the owners expense (see Ordinance #51, Article VI, Section 5).

NOW, THEREFORE, BE IT RESOLVED, that the attached, amended St. Clair County Parking Control and Enforcement Ordinance is hereby adopted in accordance with the provisions of State of Michigan Public Act No. 58 of 1945, as amended.

BE IT FURTHER RESOLVED, that a copy of this Ordinance, as amended, shall be published in a newspaper of general circulation in the County of St. Clair.

BE IT FURTHER RESOLVED, that this amended Ordinance shall take effect thirty (30) days after its adoption by the Board of Commissioners.

PARKING CONTROL AND ENFORCEMENT ORDINANCE #51

ARTICLE I STATUTORY AUTHORIZATION

Pursuant To Public Acts of the State of Michigan, Act 58 of 1945 as amended, the St. Clair County Board of Commissioners is authorized to establish and maintain parking lots, to promulgate regulations for the operation of parking lots, and to prescribe civil sanction.

ARTICLE II PURPOSE

To provide control for and restrict and limit access to the County owned and operated parking lots; to provide for and designate parking space to County employees, County Building (s) patrons, and the general public; to avoid unnecessary congestion; and to provide for the safe and proper use of those parking lots.

ARTICLE III DEFINITIONS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meanings they have in common usage and to give this Ordinance its most reasonable application.

- 1) Handicapped person – Any person as described under the State of Michigan Motor Vehicle Code, 1949 P.A. 300, as amended.
- 2) Loading Zone – The space (s), designated by signs, reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.
- 3) Park – To stand a vehicle whether occupied or not, for a period of time greater than is reasonably necessary for the actual loading and unloading.
- 4) Parking Lot – County owned and operated areas, designated by signs, for the specified use of vehicle parking.

ARTICLE IV ADMINISTRATION

The County parking lots now owned and operated, or, hereafter acquired or established by the County, shall be under the supervision of the County Administrator/Controller. The County Administrator/Controller shall establish and issue such parking control orders as may be necessary to carry out the provisions of this Ordinance.

ARTICLE V GENERAL

Section 1 General Prohibitions

No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with law, or the directions of a police/sheriff officer or traffic control device, in any of the following places:

- 1) On a sidewalk.
- 2) In any place or in any manner so as to block or hamper immediate use of and immediate egress from any building.
- 3) At any place where official signs prohibit parking, standing, or stopping.
- 4) In a parking space clearly identified by an official sign as being reserved for use by handicappers which is on public or private property available for public use; unless the person is a handicapper as described under State of Michigan Motor Vehicle Code, 1949 P.A. 300, as amended; or unless the person is parking the vehicle for the benefit of a handicapper. A certificate of identification issued under State of Michigan Motor Vehicle Code, 1949 P.A. 300, as amended, to a handicapper, shall be displayed on the lower left corner of the front windshield or a special registration plate issued under State of Michigan Motor Vehicle Code, 1949 P.A. 300, as amended, to a handicapper shall be displayed on the vehicle.
- 5) In violation of an official sign restricting the period of time or manner of parking or eligibility for parking.
- 6) In a space controlled or regulated by a meter, in a publicly owned parking area or structure, if the allowable time for parking indicated on the meter has expired.

Section 2 Restrictions and Prohibitions at Specific Places

No person shall stop, stand or park vehicle, except when necessary to avoid conflict with traffic or in compliance with law or the direction of a police/sheriff officer; in violation of any parking restriction or prohibition established for specific places by traffic-control orders promulgated in accord with the provisions of this Ordinance, provided, signs stating such restrictions or prohibitions are duly posted in accordance with this Ordinance, except that a driver of a passenger vehicle may stop temporarily, in such restricted or prohibited zone for the purpose of and while actually engaged in loading and unloading of passengers when such stopping does not interfere with traffic.

Section 3 St. Clair County Government Complex-Parking Area

As authorized by Public Act 58, of the State of Michigan of 1945 (M.C.L. s 46.187), as amended, the following described St. Clair County Government Complex parking lots shall be regulated, as indicated in this section, by the County of St. Clair:

- 1) Lot #1 – Sheriff Department/Jail
Located adjacent to the south side of the Sheriff Department/Jail Building. Entrance/exit are located off Fort and Merchant Streets. Access is controlled by gates at the entrance/exit. Parking is restricted to designated individuals and vehicles only.
- 2) Lot #2 – County Building
Located immediately between the County Building and the Sheriff Department/Jail Building parking lot. Entrances/exits are located off Fort Street. Parking is available by Permit Only.

- 3) Lot #3 – Library Building
Located immediately adjacent to the east side of the Library Building. Entrance/exit is located off McMorrان Boulevard. Parking is available to Library Patrons only.
- 4) Lot #4 – Annex Building
Located immediately adjacent to the east/southeast side of the County Annex Building. Entrance/exit is located off Merchant Street. Parking is available by Permit Only.
- 5) Lot #5 – Grand River Parking Lot
Located immediately south of the Library Building and Annex Building. Entrances/exits are located off Merchant Street and Grand River Avenue. Parking is available by Permit Only.
- 6) Lot #6 – Public Service Building(s)
Located immediately adjacent to the west side of the Public Service Building(s). Entrances/exits are located off Moak Street. Parking is available for County employees and Public Service Building(s) patrons.
- 7) Lot #7 – 72nd District Court Building – Marine City
Located immediately adjacent to the District Court Building-Marine City. Entrance/exits located off South Parker Road. Parking is available for County employees and District Court patrons.
- 8) Lot #8 – St. Clair County Park – Goodells
Located within the immediate area of the County Park Building and Grounds. Entrances/exits are located off County Park Drive. Parking is available for County employees and the general public who are attending functions/activities within the County Park Grounds.

ARTICLE VI **PENALTY**

Section 1 **General Penalty**

Any person, firm, or corporation violating any provision of this Ordinance, shall be fined in accordance with the currently adopted Resolution Regarding Parking Enforcement and Fines by the St. Clair County Board of Commissioners.

Section 2 **Tickets**

For offenses committed under this Ordinance, authorized enforcement agents may issue a parking violation ticket notifying the offender of the specific violation, location, and time of the violation, the amount of the fine(s), and the required method of payment of the fine(s). The St. Clair County Board of Commissioners through Resolution establishes fines.

Section 3 Prima Facie Proof

The fact that a vehicle, which is illegally parked, is registered in the name of a person, shall be considered prima facie proof that such person was in control on the vehicle at the time of such parking.

Section 4 Parking Violations

Any person accused of a violation of this Ordinance prohibiting parking a vehicle in a designated area or restricting the length of time a vehicle may be parked there, or parking in a metered area without putting a coin in the meter to cover the required time, may settle and compromise the claim against him/her for such illegal parking, by paying to the County of St. Clair the sum as designated on the ticket within five (5) days from when the alleged offense occurred.

Section 5 Towing Away Parked Vehicles

The authorized enforcement agents are hereby authorized to remove and tow away, or have removed and towed away by commercial towing service at owner's expense, any vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of fire hydrants, obstructs or may obstruct the movement of any emergency vehicle, is abandoned in the parking lots, or vehicles which have been issued four or more tickets.

Vehicles so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such vehicle upon payment of a fee of twenty-five dollars within twenty-four hours after the time such vehicle was removed, plus twenty-five dollars for each additional twenty-four hours or fraction thereof. The owner of the vehicle will be responsible for all towing costs.

When a vehicle is authorized to be towed away, the authorized enforcement agent shall keep and maintain appropriate detailed records.

ARTICLE VII PARKING METERS

Section 1 Establishment of Metered Spaces and Zones

Spaces and zones to be known as parking metered spaces and zones may be established by parking-control orders issued by the County Administrator/Controller in any County owned and operated parking lot. Such parking-control orders may establish a maximum legal parking limit for spaces, zones, and lots and prescribe the coins to be deposited to operate the meters placed therein.

Section 2 Installation, Marking and Manner of Use of Meter Space

The County Administrator/Controller is authorized to install parking meters in parking metered spaces and zones, and have lines or markings painted upon the lot surface controlled by each parking meter to designate the parking space for which the meter is to be used. The meter shall be installed adjacent to such space. No person shall park any vehicle upon or across any such line or marking. The foremost part of a vehicle shall be adjacent to the parking meter and the entire vehicle, insofar as possible, shall be centered within the designated parking space.

Section 3 Meter Specifications

Each parking meter shall display, by a signal that the parking space adjacent thereto is or is not legally in use. Each parking meter shall display, on deposit of a United States coin of the denomination mentioned on the meter, a signal indicating legal parking for that period of time which may be established for that area or zone of the lot upon which the parking meter is installed, and which is permitted for the deposit of the specific coin inserted. Upon the expiration of the time limit, the parking meter shall indicate by a signal that the lawful parking has expired.

Section 4 Deposit of Coin Required, Overtime Parking

Whenever a vehicle is parked in the space adjacent to a parking meter, the operator of the vehicle shall immediately deposit or cause to be deposited in such a manner, a coin of the United States of a denomination mentioned on the meter. Thereupon, the parking space may be lawfully occupied by such vehicle during the period of parking time indicated on the meter. No person shall leave any vehicle in any metered parking place except while within the lawful period of parking time indicated on the parking meter regulating such place, nor in any case longer for the lawful parking time permitted in such space, zone, or lot.

Section 5 Deposit of Coin for Purpose of Extending Parking Time Limit

No person shall deposit or cause to be deposited in a parking meter a coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time, which has been established for the parking space adjacent to the parking meter.

Section 6 Deposit of Slugs

No person shall deposit or cause to be deposited in any parking meter, any slug, device, or metallic substitute for a United States coin.

Section 7 Removing, Damaging, etc.: meters

No person shall remove, deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter.

ARTICLE VIII

EFFECTIVE DATE OF ORDINANCE

This Ordinance shall take effect thirty (30) days after the date of its adoption.

Dated: January 24, 1990
Adopted: January 24, 1990
Published: March 1, 1990
Effective: April 16, 1990
Amended: March 28, 2001
Published: April 8, 2001
Effective: April 27, 2001

PARKING CONTROL AND ENFORCEMENT POLICIES

EMPLOYEE SUMMARY

1. EFFECTIVE DATE

The Parking Control and Enforcement Ordinance will take effect

2. AFFECTED EMPLOYEES

All St. Clair County Employees whose primary work site is located in any one of the following St. Clair County Buildings:

- a) Sheriff Department/Jail
- b) County Building
- c) Annex Building
- d) Library

3. AFFECTED PARKING LOTS (for detail, please see attached map)

- a) Lot #1 – Sheriff Department/Jail: This lot will remain restricted to authorized individuals only.
- b) Lot#2 – County Building: This lot is available for employee parking and citizens conducting business in the County Building. County Employees may use this lot without fear of ticketing if a parking permit tag is properly displayed. Ten (10) parking spaces have been designated and posted as thirty (30) minute parking for County Building Patrons Only.
- c) Lot #3 – Library Building: This lot is for Library Patrons Only. Employees parking in this lot subject themselves to ticketing regardless of whether a parking permit tag is properly displayed.
- d) Lot #4 – Annex Building: This lot is available for employee parking. County Employees may use this lot without fear of ticketing if a parking permit tag is properly displayed.