

## CHAPTER 488

### Parking Violations Bureau

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#### CROSS REFERENCES

Traffic rules and regulations in home rule cities - see MCL Sec. 117.4h  
 Traffic rules and regulations generally - see MCL Secs. 257.601 et seq., 257.634 et seq.  
 Parking tickets - see MCL 257.675d  
 Parking generally - see MCL. Secs. 257.672 et seq.  
 Uniform Traffic Code - see MCL Secs. 257.951 et seq.; TRAF. Ch. 410  
 Motor Vehicle Code - see MCL 257.1, Secs 257.1 to 257.923; TRAF. Ch. 410  
 Parking of bicycles - see TRAF. 410.03(UTC 6.31)  
 Parking generally - see TRAF. 410.03(UTC 8.10)  
 Parking meters - see TRAF. Ch. 484  
 Parking in parks - see S.U. & P.S. 1064.14

#### **488.01 ESTABLISHMENT; SUPERVISION BY CITY TREASURER.**

Pursuant to Section 8395 of the Revised Judicature Act, as added by Act 154 of the Public Acts of 1968, as amended (M.C.L.A. 600.8395), there is hereby established in and for the City a Parking Violations Bureau for the purpose of handling alleged parking violations in the City. The Bureau shall be under the supervision and control of the City Treasurer. (1976 Code Sec. 25.10)

#### **488.02 OFFICE; ADMINISTRATION BY CITY TREASURER; OPERATION BY TRAVERSE CITY DOWNTOWN DEVELOPMENT AUTHORITY.**

The Parking Violations Bureau shall be located at the Governmental Center and the Larry C. Hardy Parking Deck. The City Treasurer shall administer the Parking Violations Bureau. The Traverse City Downtown Development Authority shall operate the Parking Violations Bureau. (1976 Code Sec. 25.101. Ord. 715. Passed 1-2-07.)

#### **488.03 AUTHORITY RE DISPOSITION OF VIOLATIONS.**

No violation that is not scheduled in Section 488.06 shall be disposed of by the Parking Violations Bureau. The fact that a violation is scheduled shall not entitle the alleged violator to disposition of the violation at the Bureau. In any case, the person in charge of the 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. (1976 Code Sec. 25.103)

#### **488.04 RIGHTS OF ALLEGED VIOLATORS.**

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. In no case shall the person who denies having committed the offense or 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 Bureau. Any person shall be entitled to have such violation processed before a court having jurisdiction thereof if he or she so desires. The unwillingness of any person to dispose of any violation at the Bureau shall not prejudice him or her or in any way diminish the rights, privileges and protection accorded to him or her by law.  
(1976 Code Sec. 25.104)

**488.05 TRAFFIC CITATIONS; NOTICES OF VIOLATIONS.**

The issuance of a traffic citation by a police officer of the City, or the issuance of a notice of violation by a police officer of the City, or a qualified person other than a police officer duly authorized to issue such a notice by ordinance or directive of the City Manager, shall be deemed an allegation of a parking violation. Such traffic citation 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 and the amount of the penalty scheduled for the offense for which the ticket was issued, and it shall advise that a warrant for the arrest of the person to whom the ticket was issued will be sought if such person fails to respond within the time limit.  
(1976 Code Sec. 25.105; Ord. 5. Passed 10-4-76. Ord. 659. Passed 12-20-04.)

**488.06 SCHEDULE OF CIVIL FINES.**

The Parking Violations Bureau or a police officer may issue notices of violations and dispose of the following offenses and civil fines. Violations shall be considered civil infractions.

<u>Offense</u>	<u>Civil Fine</u>
(1) Direction of parking and along curb	\$15.00
(2) Angle parking	15.00
(3) Obstructing traffic	15.00
(4) On sidewalk	15.00
(5) In front of driveway	15.00
(6) Within an intersection	15.00
(7) Within 15 feet of fire hydrant	15.00
(8) On a crosswalk	15.00
(9) Too close to intersection or crosswalk	15.00
(10) Too close to traffic control device	15.00
(11) Too close to safety zone	15.00
(12) Too close to railroad crossing	15.00
(13) Too close to fire station	15.00
(14) Next to obstruction	15.00
(15) Double parking	15.00
(16) On bridge or in tunnel	15.00
(17) Too close to accident	15.00
(18) In front of theater	15.00
(19) Blocking emergency exit	15.00
(20) Blocking fire escape	15.00
(21) Where prohibited by sign	15.00
(22) Handicapped parking	100.00

Uniform Traffic Code

488.06

(23) Overnight during winter	15.00
(24) Overnight on paved street	15.00
(25) Overnight Parking on Bay Street during National Cherry Festival	
A. First Violation within a one-year period	100.00
B. Second Violation within a one-year period	125.00
C. Third Violation within a one-year period	150.00
D. Fourth and subsequent violations within a one-year period	175.00
(26) Past time limit on sign	
A. If paid within 15 days of violation	10.00
B. If paid within 16 to 30 days of violation	20.00
C. If paid within 30 days of violation	30.00
(27) In alleys	15.00
(28) For a prohibited purpose	15.00
A. Sale	
B. Washing or repair	
C. Advertising	
Selling merchandise	
E. Storage for over 48 hours	
(29) On one-way street	15.00
(30) Too long in passenger loading zone	15.00
(31) In freight loading zone	15.00
(32) In bus or taxicab area	15.00
(33) Meter violation - first violation	
A. If paid within 15 days of violation	10.00
B. If paid between 16 to 30 days of violation	20.00
C. If paid after 30 days of violation	30.00
(34) Parking beyond time allowed on meter (Codified Ordinances Sec. 484.04)	
A. If paid within 15 days of violation	10.00
B. If paid within 16 to 30 days of violation	20.00
C. If paid after 30 days of violation	30.00
(35) Parking beyond time allowed on meter - for each additional violation at the same meter on the same day (Codified Ordinances Sec. 484.04(b))	15.00
(36) Improper parking	15.00
(37) Parking without a permit or failure to display permit	
A. If paid within 15 days of violation	10.00
B. If paid within 16 to 30 days of violation	20.00
C. If paid after 30 days of violation	30.00
(38) Parking beyond time allowed on meter - 7 or more violations within a one-year period (Codified Ordinances Section 484.04)	75.00

(References to other sections in this schedule are for convenience only, and changes to those referenced provisions shall not affect the validity of this schedule.) Response to the citation must be made by requesting a court appearance within 15 calendar days of the date of issue of the citation or by payment of the citation. If payment is not made within thirty days after the issuance of the notice of violation, the Parking Violations Bureau shall double the fine. If payment is not made within sixty days after the issuance of the notice of violation, the Parking Violations Bureau shall triple the fine. In addition, the Parking Violations Bureau may have citations issued for those violations and transfer these matters to the District Court. The District Court shall then establish the civil fine for the offense, up to the maximum allowed by law. The Bureau may extend these time limits in its discretion. At the discretion of the City Treasurer, parking violations not paid within ninety days after the issuance of the notice of violation may be transferred to a collection agency and an administrative fee may be added by the collection agency.

(Ord. 363. Passed 6-7-93. Ord. 369. Passed 8-16-93. Ord. 382. Passed 4-18-94. Ord. 479. Passed 7-6-99. Ord. 598. 3-17-03. Ord. 754. Passed 6-4-07. Ord. 891. Passed 11-15-10. Ord. 927. Passed 11-7-11)