

ORDINANCE NO. 194

An Ordinance to regulate parking of motor vehicles on the streets, public parking areas and public thoroughfares of the Village of Otisville in order to facilitate the cleaning of said streets and thoroughfares and the removal of snow therefrom.

The Village of Otisville Ordains:

SECTION 1. Prohibited Parking

It shall be unlawful, where parking is not otherwise prohibited, for any person to stop, stand, park or leave unattended a motor vehicle on any street, public area or public thoroughfare located within the confines of the Village of Otisville between the hours of 3:00 a.m. and 7 a.m.

SECTION 2. Posting of Parking Restrictions

The provisions of this Ordinance shall be enforced only when Notice of said Ordinance is properly given by appropriate signs erected pursuant to the instructions of the Village Chief of Police or any other duly authorized officer who shall have the authority to direct such signs be erected. Such signage among other things shall be erected at the Village of Otisville limits or at the entrances to those areas or streets to be affected in order that said Notice might be appropriate in form as to sufficiently acquaint the ordinary observant person with the traffic regulation set forth by this Ordinance.

SECTION 3. Enforcement of Ordinance

Any motor vehicle parked in violation of this Ordinance may be removed by the Chief of Police for the Village or his duly authorized and appointed delegate at the expense of the owner of such motor vehicle. In the event that it does become necessary to remove any unlawfully parked vehicle in order to carry out the terms of this Ordinance, then said motor vehicle shall be impounded by Order of the Village of Otisville Chief of Police, and the owner shall be required to pay the impounding cost and the towing cost prior to the return of said vehicle, over and above any fine and cost which might be assessed by virtue of a Court hearing pursuant to the penalty clause hereinafter set forth.

SECTION 4. Penalties

Any person convicted of violating the provisions of this Ordinance shall be deemed guilty of a Civil Infractions. The sanction for a violation which is a municipal civil infraction shall be a civil fine in an amount not to exceed one hundred (\$100.00) dollars, plus any costs, damages, expenses, injunctive relief, and other sanctions, as authorized under Chapter 87 of Public Act 236 of 1961 (Michigan Compiled Laws 600.8701 et seq.) and other applicable laws. Costs shall include all expenses, direct and indirect, to which the Village has been put in connection with the municipal civil infraction, including the cost of prosecution.

SECTION 5. Repeal of Previous Ordinances

This Ordinance shall not be deemed in any way to change any other Ordinance or Sections of Ordinances applicable to regulation of parking motor vehicles within the confines of the Village Limits of the Village of Otisville, but shall be deemed to be in addition and supplemental thereto with the exception of Ordinance No. 191 which is hereby repealed in its entirety.

SECTION 6. Severability

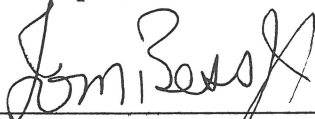
This Ordinance is deemed to be severable and if any part shall be declared invalid by any court, such judgment or decree shall affect only that part directly involved in the controversy.

SECTION 7. Effective Date

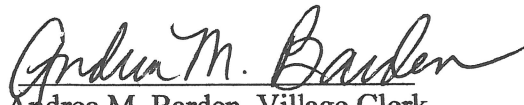
This Ordinance shall be in full force and effect ten (10) days after its adoption and approved by the Village of Otisville Council.

SECTION 8. Posting of Ordinance

This Ordinance was approved by a vote of the Village of Otisville Council, a Quorum being present, on the 19th day of February, 2008 and ordered published in three places in the Village within ten (10) days after its adoption.



Tom Bess Jr., Village President



Andrea M. Barden, Village Clerk

I, Andrea M. Barden, do hereby certify that the foregoing Ordinance No. 194 was adopted at a regular meeting of the Otisville Village Council held on 19th day of February, 2008.



Andrea M. Barden, Village Clerk