

**HAMLIN TOWNSHIP
MASON COUNTY, MICHIGAN
Ordinance No. 56**

An ordinance to regulate the parking of vehicles on certain streets and highways; to prohibit the parking of vehicles in certain areas and zones; to provide penalties for the violation hereof; to authorize certain local officials to issue municipal civil infraction citations for the violation hereof; and for other related purposes.

THE TOWNSHIP OF HAMLIN, COUNTY OF MASON, STATE OF MICHIGAN, ORDAINS:

Section 1. Title.

This ordinance shall be known and cited as the Hamlin Township Parking Ordinance.

Section 2. Statutory Authority.

This regulatory ordinance is adopted in accordance with the authority conferred by the Township Ordinances Act, 1945 P.A. 246, as amended, which authorizes the township board to adopt ordinances regulating traffic and the parking of vehicles, MCL 41.181(1), including ordinances which apply to particular streets, roads, highways, or portions of the township, MCL 41.181(2). This ordinance is also enacted pursuant to Chapter 87 of the Revised Judicature Act, 1961 P.A. 236, as amended, which permits the township board to designate one or more authorized local officials to issue municipal civil infraction citations, MCL 600.8701(a).

Section 3. Definitions.

- The words “park,” “parked,” and “parking” mean causing or allowing a vehicle to remain stationary at a particular location for longer than the time necessary to stop, halt, or yield for traffic, stop signs, or other traffic control devices.
- The word “township” means Hamlin Township, Mason County, Michigan.
- The word “vehicle” means an automobile, car, truck, van, bus, trailer, semi-trailer, motor home, recreational vehicle, utility vehicle, motorcycle, or any other motorized device capable of being driven or drawn upon a highway that is regulated or required to be registered under the provisions of the Michigan Vehicle Code, 1949 P.A. 300, as amended.

Section 4. Prohibited Parking.

- No vehicle, whether attended or unattended, shall be parked or allowed to stand upon the main traveled portion of any public or private road or highway within the township, except when, in case of emergency, it is impossible to move the vehicle off the main traveled portion of the roadway.
- No vehicle, whether attended or unattended, shall be parked or allowed to stand on the shoulder of, alongside, or within the right-of-way of, any of the following streets or roads between the hours of 5:00 p.m. in the evening and 6:00 a.m. the following morning:

- Jebavy Drive (between the Lincoln River Bridge and Dewey Road);
- M-116 (between the Lincoln River Bridge and Lakeshore Drive);
- Lakeshore Drive (between M-116 and Sugar Grove Road);
- Jagger Road (between Jebavy Drive and Lakeshore Drive);

- Decker Road (between Lincoln Road and Lakeshore Drive);
- Dewey Road (between Lincoln Road and Lakeshore Drive);
- Sugar Grove Road (between Lincoln Road and Lakeshore Drive);
- Rath Road (between Jagger Road and Sugar Grove Road);
- No Name Road;
- Golfwood Drive;
- Lincolnwood Road;
- Mound Street;
- Beech Lane;
- Barnhart Road (between Maple Lane and Sherman Road).

This provision shall not apply to a truck or delivery vehicle that is stopped temporarily for the purpose of making deliveries, loading, or unloading, provided that such vehicle is lighted with headlights and rear lights so that it may be observed by oncoming motorists under ordinary weather conditions.

- No vehicle, whether attended or unattended, shall be parked or allowed to stand within the limits of any public street or roadway, or within the shoulder or right-of-way thereof, while being repaired, remodeled, restored, or refurbished, except, in cases of accident or mechanical failure, when brief or temporary repairs may be required prior to moving a damaged or inoperable vehicle.

- No vehicle, whether attended or unattended, shall be parked or allowed to stand within any crosswalk or school bus loading zone, within any conspicuously marked fire lane, in any manner that blocks or impedes the driveway of a fire station, or within 25 feet of any fire hydrant.

- No vehicle, whether attended or unattended, shall be parked or allowed to stand in any area or place that is clearly designated as a “no parking” zone by an official sign placed or erected by the Michigan Department of Transportation, Mason County Board of Road Commissioners, or other authorized government authority.

- No vehicle, whether attended or unattended, shall be parked or allowed to stand in any area or place that has been designated as a “no parking” zone by any directive or temporary order of the Michigan State Police, Mason County Sheriff, Michigan Department of Transportation, or Mason County Board of Road Commissioners.

- No vehicle, whether attended or unattended, shall be parked or allowed to stand in front of any driveway, within an intersection, or in any manner that blocks or impedes the use of an alley.

- No vehicle, whether attended or unattended, shall be parked or allowed to stand in any manner that blocks or impedes the use of a conspicuously marked fire escape or emergency exit from a building.

Section 5. Exemptions.

The prohibitions set forth in Section 4 do not apply to a fire, police, emergency, or governmental vehicle being used for an official purpose, to the vehicle of a bona fide utility company engaged in necessary work or maintenance, to the private vehicle of any volunteer firefighter, paramedic, or law enforcement officer responding to a fire, emergency, or other call, or to a bona fide agricultural vehicle under any circumstances in which this ordinance would be preempted by Michigan’s Right to Farm Act, 1981 P.A. 93, as amended.

Section 6. Violation and Penalty.

Any person who violates or refuses to comply with any parking prohibition contained in this ordinance, or who suffers, causes, aids, or entices any other person to violate or refuse to comply with any parking prohibition contained herein, shall be responsible for a municipal civil infraction and subject to a civil fine of at least \$150.00 but not more than \$500.00, plus costs as provided by law, for each such violation. Each calendar day on which a violation of this ordinance continues to exist shall constitute a separate and subsequent violation of this ordinance.

Section 7. Authorized Local Official.

This ordinance may be enforced by an authorized local official. The Hamlin Township Board of Trustees hereby appoints and constitutes the following persons as authorized local officials with the authority to enforce this ordinance by issuing municipal civil infraction citations for violations hereof in accordance with state law:

- The Mason County Sheriff, or a duly sworn officer of the Mason County Sheriff's Office;
- A duly sworn officer of the Michigan State Police;
- The Hamlin Township Supervisor;
- Any other suitable township officer or employee designated by the Hamlin Township Board of Trustees as an authorized local official by resolution or ordinance. Such resolution or ordinance may prescribe the term or terms of the appointment and the Board of Trustees may, in its discretion, remove any person from the position of authorized local official by majority vote of its members.

Section 8. Applicability.

The parking prohibitions of this ordinance shall be applicable to all persons and vehicles within the township, even if the prohibited parking in question began before the effective date of this ordinance. This ordinance shall not be construed to allow or permit any parking that is otherwise prohibited by law.

Section 9. Severability.

In the event that any one or more sections or provisions of this ordinance shall be found invalid or unenforceable by a court of competent jurisdiction, such finding shall not affect the validity or enforceability of the remaining sections or provisions of this ordinance, which shall continue in force and effect as if the invalid or unenforceable sections or provisions had not been included.

Section 10. Conflicting Provisions Repealed.

Any ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 11. Effective Date.

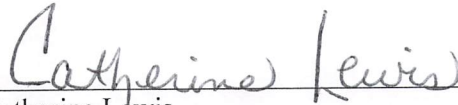
This ordinance shall take effect thirty (30) days after publication of the ordinance or a summary of the ordinance in a newspaper of general circulation within the township, MCL 41.184.

CERTIFICATION BY TOWNSHIP CLERK

I, Catherine Lewis, Clerk of Hamlin Township, Mason County, Michigan, in accordance with the Township Ordinances Act, Public Act 246 of 1945, as amended, hereby certify that the foregoing ordinance was duly adopted by the Hamlin Township Board of Trustees at a regular meeting held on the 13th day of June, 2024, at 6:00 p.m., at the Hamlin Township Hall, 3775 N. Jebavy Drive, Ludington, Michigan, and that the votes cast for and against said ordinance were as follows:

AYES: C. Lewis, N. Vandervest, R. Key, S. Ptaszenski, J. Gurzynski

NAYS: None



Catherine Lewis
Hamlin Township Clerk

PROOF OF PUBLICATION

I, Catherine Lewis, Clerk of Hamlin Township, Mason County, Michigan, hereby certify that the foregoing ordinance or a summary thereof was duly published in the Ludington Daily News according to the provisions of MCL 41.184(3), on the 21st day of June, 2024.

Effective Date: July 21, 2024.

Catherine Lewis
Hamlin Township Clerk