

ORDINANCE NO: 247-10

AN ORDINANCE OF THE VILLAGE OF BANCROFT, MICHIGAN.

ALL NIGHT PARKING PROHIBITED

The Village of Bancroft Ordinance:

Sec.1 All Night Parking Prohibited

A person shall not park a vehicle upon a street between the hours of 3:00 a.m. and 6: a.m. within the Business district of the Village of Bancroft, from November 1st thru March 31st except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer.

- A. A person who is found to be in violation of this ordinance shall be punished by a fine of \$10.00 and / or have said vehicle towed away at the owner's expense.
- B. A person who is found to be in violation of this ordinance shall be guilty of a Municipal Civil Infraction.
- C. Business district shall be defined as Main St. from Sprague St. to Robinson St. and Warren St. from Beach St. to Shiawassee St.

Sec. 2. Municipal Civil Infraction

- A. A municipal civil infraction ticket, pursuant to MCLA 600.8701; MSA 27A.8701, et seq. The officer shall not be required to issue any further notices before issuing a subsequent municipal civil infraction ticket for each day thereafter the violation of this Chapter continues.
- B. The words "municipal civil infraction" mean an act or omission that is prohibited by this Chapter of the Ordinance Code, but which is not a crime under this Ordinance or other Ordinances, and for which civil sanctions, including without limitation, fines, damages, expenses and costs, may be ordered as authorized by Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended {MCL 600.8701; MSA 27A.8701, et seq} A municipal civil infraction is not a lesser included offense of a violation of this Ordinance that is a criminal offense.

- C. The sanction for a municipal civil infraction violation shall be civil fine in the amount as provided by this Chapter of the Ordinance Code, plus costs, damages, expenses, equitable relief and other sanctions, as authorized under Chapter 87 of Act No. 236 of Public Act of 1961, as amended, and other applicable law.
- D. Unless otherwise specifically provided for in this Chapter, the civil fine for a municipal civil infraction violation shall not be less than \$10.00 plus costs and other sanctions.
- E. The person who shall receive the municipal civil infraction by the police officer is the owner, occupant, possessor, or person having control of the offensive item.
- F. The Village police officer shall have the authority to issue a municipal civil infraction ticket pursuant to this Chapter of the Ordinance Code, pursuant to MCL 600.8707(2): MSA 27A.87(2).

Sec. 3. Effective Date:

This ordinance shall take effect twenty (20) days after its passage, as set forth hereafter

Date of Adoption: Dec 8 2010
Date of Publication: Dec 31 - 2010
Effective Date: Jan 3 2011

By: William Johnston
William Johnston, Village President

By: Shana Post
Shana Post, Village Clerk