

**VILLAGE OF ELLSWORTH PARKING ORDINANCE**  
**Ordinance No. 21 of 2011**

AN ORDINANCE TO PROHIBIT PARKING ON VILLAGE STREETS BETWEEN THE HOURS OF 3:00 A.M. AND 6:00 A.M. DURING THE MONTHS OF DECEMBER THROUGH APRIL OF THE FOLLOWING YEAR AND TO PROVIDE ENFORCEMENT PROCEDURES, IMPOUNDMENT AUTHORITY, AND PENALTIES FOR VIOLATIONS

THE VILLAGE OF ELLSWORTH ORDAINS:

**Section 1. Parking Regulations.**

In addition to the parking provisions of the Michigan Vehicle Code, which has been adopted as a village ordinance by reference, no motor vehicle shall be parked on any street or alley in the Village and in parking lots under the jurisdiction of the Village between 3:00 a.m. and 6:00 a.m. during the months of December through April of the following year.

**Section 2. Evidentiary Presumption Relating to Parking Violators.**

In any proceeding for a violation of this Ordinance, proof that the particular motor vehicle described in the complaint was parked in violation of this Ordinance, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner of such vehicle was the person who parked or placed such vehicle in violation of this Ordinance.

**Section 3. Notice of Parking Regulations.**

The Village Street Administrator, or his designee, shall erect signs on all streets and highways at the Village limits approximately three (3) feet by four (4) feet sufficiently legible as to be seen by an ordinarily observant person giving notice of the parking regulations contained in this Ordinance.

**Section 4. Municipal Civil Infractions.**

Any person who shall violate any provision of this Ordinance shall be guilty of a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

**Section 5. Enforcement Officer.**

The Village Ordinance Enforcement Officer and Village Police Officers are hereby designated as the authorized Village officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

**Section 6. Impoundment of Motor Vehicles.**

In addition to the penalties contained in Section 4 above, any motor vehicle parked in violation of this Ordinance may be impounded by any police officer and removed from the street or alley where illegally parked. After the police officer impounds a motor vehicle parked in violation of this Ordinance, he or she shall follow the procedures contained in the Michigan Vehicle Code relating to the impoundment of motor vehicles.

**Section 7. Severability.**

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance shall be invalid, such invalidity shall not effect any remaining portion or application of this Ordinance which can be given effect without the invalid portion or application.

**Section 8. Effective Date.**

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the village.

VILLAGE OF ELLSWORTH

By: \_\_\_\_\_  
Hugh Campbell, President

By: \_\_\_\_\_  
Hellen Allen, Clerk