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ORDINANCE NO. 80.

AN ORDINANCE RELATING TO TRAFFIC AND REGULATING THE USE OF PUBLIC STREETS IN THE VILLAGE OF CALUMET; PRESCRIBING REGULATIONS RELATIVE TO THE PARKING OF VEHICLES UPON SUCH STREETS; PROVIDING FOR PURCHASE, LEASING, ACQUIRING, INSTALLATION, OPERATION, MAINTENANCE, SUPERVISION, REGULATION AND CONTROL OF THE USE THEREOF; DEFINING AND PROVIDING FOR THE ESTABLISHMENT OF PARKING METER ZONES UPON THE PUBLIC STREETS AND FOR AN ENFORCEMENT THEREOF AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, because of traffic conditions that have existed in certain sections of the Village of Calumet, the free movement of traffic in those sections is, and has been, impeded for a long period of time; and

WHEREAS, attempts to regulate the traffic and parking in the aforesaid areas have not been as successful as is desirable;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Calumet, Houghton County, State of Michigan,

Section 1. DEFINITIONS. Whenever in this ordinance the following terms are used, they shall have the meaning respectively ascribed to them in this section:

STREET. Every way set apart for public travel, except alleyways.

ROADWAY. That portion of a street between the regularly established curb lines.

SIDEWALK. That portion of a street between the curb lines and the adjacent property lines.

VEHICLE. Any device by which any person or property may be transported upon a public highway, except those operated upon rails and permanent tracks.

PARKING METER. A mechanical device located upon a public street or sidewalk in a place regularly designed as a parking zone as hereinafter defined, which device shall record a certain number of minutes by the use of a clock mechanism determining the period of time for which parking privileges may be extended to the person so depositing a coin.

PARKING METER ZONE. A certain designated and marked off section of the public street within the marked boundaries where the vehicle may be temporarily parked and allowed to remain for such period of time as the parking meter attached thereto may indicate.

Section 2. Parking meter zones as herein above described, are hereby created on the following streets of the Village of Calumet: Fifth Street, Sixth Street, Pine Street, Elm Street, Oak Street, Portland Street, and Scott Street, and from time to time hereafter as traffic conditions require on such streets and other streets, or such other locations as selected by resolution of the Council of the Village of Calumet for the location of such zones.

Section 3. And in said parking meter zones the Chief of Police, in cooperation with the Village Council, shall cause parking meters to be installed in such numbers and at such places as in their judgment may be necessary to the regulation, control, and inspection of the parking of vehicles therein, including the reservation of loading zones for commercial vehicles and shall cause parking meter spaces to be designated as hereinafter

provided. The Village Council shall fix the time limitations for legal parking in such zones and the hours during the day when the parking meter or meters must be used and when the time limitations shall be effective, in compliance with the provisions of this ordinance, and shall indicate the time limitations by designating the same on the parking meter or meters or by appropriate signs posted in proximity to said meter or meters in said zone.

Section 4. The Chief of Police is hereby authorized to attend to the installation, operation, maintenance, supervision, regulation and use of the parking meters provided for in this ordinance, whether for trial period or otherwise. The payment for such parking meters and installation to be provided for solely from the receipts, funds and revenues obtained from the operation of said parking meters without in any manner obligating the Village to pay for the same from any other source.

Section 5. The parking meters installed in the parking meter zones as established and provided for in Section 2 hereof, shall be placed upon the curb immediately adjacent to the individual parking places herein-after described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking time established by the Village and when operated shall indicate on and by its dial and pointer the duration of the period of legal parking and on the expiration of such period, shall indicate illegal or over parking.

Section 6. The Chief of Police shall have markings painted or placed upon the curb and/or upon the street adjacent to each parking meter for the purpose of designating the parking space for which said meter is to be used and each vehicle parking adjacent or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and a violation of this ordinance to park any vehicle across any such line or marking or to park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

Section 7. When any vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this ordinance, the operator of said vehicle shall, upon entering the said parking space, immediately deposit or cause to be deposited a one or five cent coin of the United States, in such parking meter, and put such meter in operation, and failure to deposit such coin and put the meter in operation shall constitute a violation of this ordinance and shall subject such person to the penalty prescribed hereinafter.

Section 8. Upon placing such meter in operation as aforesaid the parking space may be lawfully occupied by such vehicle for a period of twelve (12) consecutive minutes for each one cent coin of the United States deposited therein up to one hundred twenty (120) minutes or for a period of sixty (60) consecutive minutes for each five cent coin of the United States deposited therein up to one hundred twenty (120) minutes and payment of the aforesaid amounts for the above periods shall be made for parking in the areas set forth hereinabove. If any such vehicle shall remain parked in any such parking space beyond the parking time limit as fixed by the coin or coins deposited in such meter for such parking space, the parking meter shall by its dial and pointer indicate such illegal parking and in that event, such vehicle shall be considered parked overtime and beyond the period of legal parking time and shall constitute a violation of this ordinance and the owner or operator thereof shall be punished as hereinafter set out.

Section 9. It shall be unlawful and a violation of the provisions of this ordinance for any person to deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this ordinance.

Section 10. It shall be unlawful and a violation of the provisions of this ordinance to deposit or cause to be deposited in any parking meter, any slug, device or metallic substitute, or any other substitute for a one cent or five cent coin of the United States.

Section 11. It shall be the duty of the Chief of Police, acting in accordance with instructions issued by the Common Council of the Village of Calumet to report:

(a) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parking in violation of any of the provisions of this ordinance.

(b) The State license number of such vehicle.

(c) The time such vehicle is parking in violation of any of the provisions of this ordinance.

(d) Any other facts, or knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.

The Chief of Police shall also attach to such vehicle a notice to the owner or operator thereof that such vehicle has been parked in violation of a provision of this ordinance and instructing such owner or operator to report to the Town Hall of the Village of Calumet, in regard to such violation. Each such owner or operator, may, within 24 hours of the time when such notice was attached to such vehicle pay to the Village Clerk at the Town Hall as a penalty for and in full satisfaction of such violation, the sum of One Dollar (\$1.00). The failure of such owner or operator to make such payment within said 24 hours, shall render such owner or operator subject to the penalties hereinafter provided, for the violation of the provisions of this ordinance.

Section 12. Any person who shall violate any of the provisions of this ordinance, and any person who aids, abets, or assists therein, shall, upon conviction thereof be subject to a fine of not to exceed more than One Hundred Dollars (\$100.00) for each offense or violation, or be imprisoned for a term not exceeding ~~ten~~ (90) days in the County Jail.

NINETY.
Section 13. The coins required to be deposited in parking meters as provided herein are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets, and also the cost of supervision and regulation of the parking of vehicles in the parking meter zones created hereby, and to cover the costs of the purchasing, leasing, acquiring, installation, operation, maintenance, supervision, regulation and control of the parking meters described herein.

Section 14. The Chief of Police shall designate such collectors and methods as are necessary to properly collect all coins deposited in the meter boxes. Such collectors shall be only such employees as are now or hereafter duly bonded in a sum not less than One Thousand Dollars (\$1,000.00) for the faithful performance of their duties. All money so collected shall be deposited with the Village Clerk of the Village of Calumet, provided, however, a separate fund (or accounting) shall be maintained at all times of such money so deposited.

Section 15. All penalty fees of One Dollar (\$1.00) collected by the Village Clerk of the Village of Calumet, shall be deposited with the Village Clerk and credited to the GENERAL fund.

Section 16. This ordinance shall be deemed to be in addition and supplementary to and not in conflict with nor a repeal of prior or existing ordinances of this Village, but shall be an additional provision for the regulation of traffic and parking in those zones provided for herein.

Section 17. If a section, part of section, sentence, clause or phrase of this ordinance shall be held to be unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

Section 18. This ordinance shall be in full force and effect from and after its passage, approval, and publication, as provided by law. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

PASSED AND ADOPTED by the Common Council of the Village of Calumet,
this 5 day of Aug. 1947.

[Signature]
President

Attest:

[Signature]
Clerk