

AN ORDINANCE
of the City Council of the City of Berkley, Michigan
to Add Section 122-95 to Article IV of Chapter 122, Traffic and Vehicles,
of the City of Berkley Code of Ordinances
to Require Vehicles Parked on a Street, Highway, or Municipal Parking Lot to Have a
Valid Registration Plate.

THE CITY OF BERKLEY ORDAINS:

SECTION 1: Section 122-95 shall be added to Article IV of Chapter 122 of the Berkley City Code, as follows:

ARTICLE IV. – Stopping, Standing and Parking

Sec. 122-91. – Officials issuing parking tickets.

Pursuant to section 742(6) of the Public Act No. 300 of 1949 (MCL 257.742(6), MSA 9.2442, (6)), the animal warden, code enforcement officers and public safety aides are hereby authorized to issue citations to any motor vehicle observed to be violating any of the parking regulations or restrictions of the city as promulgated by this chapter.

Sec. 122-92. – Established uses of off-street parking spaces.

Off-street parking spaces for nonresidential use shall be for the use of occupants, employees, visitors, customers, clients and patrons and shall be free of charge. Under no circumstances shall it be used for other than parking purposes, or allowed to become unusable (except for temporary repairs). Use of parking space for vehicles for sale, trucks, wrecked or junked vehicles or the repair or storage of vehicles is prohibited. No vehicle shall be parked in a required off-street parking area for a period longer than 48 hours unless the vehicle is operable and regularly employed in business activities for the business at that location. Any vehicle parking in excess of 48 hours not related to that business must obtain approval from the zoning official. Such approval may be granted only as hardship or practical difficulties require.

Sec. 122-93. – Prohibition of off-street parking in front yards.

No parking shall be permitted in the front yard area on any residential lot, a combination of residential lot or combination of residential lots, except upon a driveway area, parking strip or in a garage.

Sec. 122-94. – Parking in residential districts between certain hours.

No person shall park a motor vehicle on a residential street between 2:00 a.m. and 6:00 a.m.

Sec. 122-95. – Valid registration plate required for parking on street or municipal parking lot.

Except as otherwise provided in this Chapter or the Michigan Motor Vehicle Code, a person shall not park, nor shall an owner knowingly permit to be parked, upon any street, highway, or municipal parking lot, a vehicle required to be registered under the Michigan Motor Vehicle Code unless there is attached to and displayed on the vehicle, as required by said code, a valid registration plate issued for the vehicle by the Department of State for the current registration year. A person who violates this Section is responsible for a civil infraction.

SECTION 2: Severability Clause

Should any word, phrase, sentence, paragraph, or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3: Penalty

All violations of this ordinance shall be civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of not more than \$500, or as otherwise prescribed herein.

SECTION 4: Effective Date

This Ordinance shall become effective 30 days following the date of adoption.

SECTION 5: Publication

The City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1991, as amended, and Section 6.5 of the Berkley City Charter.

Introduced on the First Reading at the Regular City Council Meeting on Monday, June 19, 2017.

Passed on the Second Reading at the Regular City Council Meeting on Monday, July 17, 2017.



Phil O'Dwyer, Mayor

Attest:



Phommady A. Boucher, City Clerk