

CITY OF FENNVILLE
ALLEGAN COUNTY, MICHIGAN
ORDINANCE 10-1

AN ORDINANCE TO AMEND CHAPTER 50, BY ADDING SECTION 50-54, REGULATIONS PERTAINING TO PARKING COMMERCIAL VEHICLES ON RESIDENTIAL STREETS; RESTRICTING PARKING ON NON-RESIDENTIAL PROPERTY, OF THE CITY OF FENNVILLE CODE OF ORDINANCES; TO REPEAL ALL OTHER ORDINANCES AND PARTS THEREIN INCONSISTENT OR CONTRARY TO THIS ORDINANCE; AND TO ESTABLISH AN EFFECTIVE DATE.

THE CITY OF FENNVILLE ORDAINS:

ARTICLE I

Chapter 50, Section 50-54, of the Fennville City Code of Ordinances is hereby added and shall now read:

"Section 50-54. Parking of Commercial Vehicles on Residential Street.

a. Definitions.

Commercial Vehicle shall mean any self-propelled or towed vehicle designed to be used or actually used on a public street with a gross vehicle weight of more than 10,000 pounds. By way of example, commercial vehicles shall include, but not be limited to, package and product delivery trucks, dump trucks, garbage trucks, tow trucks, step vans, service trucks, semi tractors, panel trucks, cargo vans, tank trucks, beverage trucks and school buses. *Commercial vehicle* shall not include pick up trucks or full-size passenger vans.

Residential Street shall mean any portion of any public street bordered on either side by a single family or multi-family residence.

Trailer shall mean any trailer as defined by MCL 257.59 and MCL 257.73, as amended from time-to-time.

b. Parking Commercial Vehicles on a Residential Street Prohibited.

No person, firm or corporation shall park or allow to stand a commercial vehicle or trailer on any residential street at any time except as set forth hereinafter.

c. Exceptions.

This section shall not apply to the following:

1. Delivery trucks in the process of picking up or delivering.
2. Moving vans in the process of actively loading or unloading.
3. Commercial vehicles parked in front of a single-family or multi-family residence while being used in the actual repair, construction or maintenance of the property.
4. Vehicles used by utilities including, but not limited to, gas, water, electric, cable television, satellite television and similar services involved in the placement or repair of such utilities or services.
5. Vehicles owned by the City of Fennville.

d. Penalty for Violation.

Any person, firm or corporation violating this section shall be responsible for a municipal civil infraction subject to the following civil fines:

1. First offense within a calendar year: \$100.00.
2. Second offense within a calendar year: \$250.00.
3. Third offense with a calendar year: \$500.00.

ARTICLE II – REPEALER

All other Ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

ARTICLE III – SEVERABILITY

Any and all sections, terms, provisions and/or clauses herein shall be deemed independent and severable. Should any court of competent jurisdiction hold any section, term, provision or clause void and/or invalid, all remaining sections, terms, provisions and/or clauses not held void and/or invalid shall continue in force and effect.

ARTICLE IV – EFFECTIVE DATE

This Ordinance shall take force and effect on August 26, 2010

Patricia Phenix, Clerk

CERTIFICATE

I, Patricia Phenix, City Clerk for the City of Fennville, do hereby certify that the foregoing Fennville Ordinance No. 10-1 was adopted by the City Commission at a regular meeting held and that the following is a record of the vote of the members of said City Commission on said Ordinance.

AYES: Cummins, Watson, Brien, Suerth, Rastall

NAYS: Meyaard

ABSENT: Pantelleria

Patricia Phenix, City Clerk

1st reading: August 4, 2010

2nd reading: August 16, 2010

Publication: August 19, 2010

Effective: August 26, 2010