

ORDINANCE NO. 568

CHARTER TOWNSHIP OF BLOOMFIELD

OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO PROHIBIT PARKING ON PUBLICLY MAINTAINED STREETS WITHIN BLOOMFIELD TOWNSHIP DURING A SNOW EMERGENCY.

IT IS THE PURPOSE OF THIS ORDINANCE TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE BY PROHIBITING PARKING ON PUBLICLY MAINTAINED STREETS IN THE TOWNSHIP DURING A SNOW EMERGENCY TO ENSURE THAT THE TOWNSHIP HAS THE ABILITY TO PLOW, SALT OR UNDERTAKE OTHER SNOW OR ICE REMOVAL ACTIVITY TO PREVENT TRAFFIC AND PEDESTRIAN HAZARDS.

THE CHARTER TOWNSHIP OF BLOOMFIELD ORDAINS:

**Section 1. Definitions.**

- A. "Police Chief" shall mean the Bloomfield Township Police Chief or his or her designated representative.
- B. "Snow Emergency" shall mean a declaration of a snow emergency publicly announced at the direction of the Police Chief, which is announced by means of broadcast and/or telecast from stations with normal operating range covering the Township, including, but not limited to, cable television. The declaration may further be made in a newspaper of general circulation when feasible.
- C. "Street or Road" shall include the entire width between the boundary lines of every way which is publicly maintained, and which is open to the use of the public for purposes of vehicular travel.

**Section 2. Prohibition Against Parking on Publicly Maintained Streets During Declaration of a Snow Emergency.**

No person shall park or leave any vehicle on a street in Bloomfield Township when a Snow Emergency has been declared. The Snow Emergency shall remain in effect until terminated by announcement in accordance with this Ordinance, except that any street that has been completely plowed and is substantially clear of snow and ice, from curb to curb, for the length of the entire street shall be excluded from the Snow

Emergency.

**Section 3. Stalled or Disabled Vehicles.**

Whenever a vehicle becomes stalled or disabled for any reason, on any portion of a street to which the Snow Emergency parking prohibition applies, the person operating the vehicle shall take immediate action to have the vehicle towed or pushed off the street. No person shall abandon or leave his or her vehicle in any street (regardless of whether the person indicates by raising the hood or otherwise, that the vehicle is stalled), except for the purpose of securing assistance during the actual time necessary to go to a nearby phone, or nearby garage, automobile service station, or other place of assistance and return without delay.

**Section 4. Violations and Penalties.**

Any person in violation of this Ordinance is responsible for a civil infraction, punishable by a fine not to exceed \$100.00.

**Section 5. Presumptions.**

In any proceeding for violation of this Ordinance relating to parking, leaving, or abandoning a vehicle, proof that the particular vehicle described in the complaint or citation was parked or left in violation of this Ordinance, together with proof that the respondent named in the complaint or citation was, at the time of such parking, the registered owner of such vehicle, shall constitute a presumption that the registered owner of such vehicle was the person who parked or left such vehicle at the locations in which the violation occurred.

**Section 6. Impoundment of Vehicle.**

Any vehicle parked or left on any street in violation of this Ordinance constitutes a public hazard and an obstruction of traffic, and may be towed and impounded immediately. No person may recover an impounded vehicle without first paying the cost of removal and storage, notwithstanding, and apart from, any fine which may be imposed for violation of this Ordinance.

**Section 7. Exemptions; Special Parking Permit.**

An owner of a vehicle who occupies a premises that does not have a driveway shall be exempt from the requirement to move said motor vehicle in the event of a snow emergency. The owner of the motor vehicle upon application to the Police Department will receive a special parking permit, which shall be displayed in the front-side window on the driver's side of the vehicle.

**Section 8. Short Title.**

This Ordinance shall be known and may be cited as the "Snow Emergency

Ordinance."

**Section 9. Repealer.**

All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 10. Severability.**

Should any section, subdivision, clause or phrase of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so invalidated.

**Section 11. Savings.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

**Section 12. Effective Date.**

This ordinance shall take immediate effect upon publication.

The foregoing Ordinance was adopted by the Township Board of the Charter Township of Bloomfield on this 23<sup>rd</sup> day of January, 2006.

JANET RONCELLI  
TOWNSHIP CLERK

Introduced: January 9, 2006  
Published: January 15, 2006  
Adopted: January 23, 2006  
Published: January 29, 2006