

STATE OF MICHIGAN  
MUSKEGON COUNTY BOARD OF COMMISSIONERS

ORDINANCE NO. 2007-611

TITLE: MUSKEGON COUNTY PARKING LOT ORDINANCE

APPROVAL DATE: DECEMBER 11, 2007

PUBLISH DATE: DECEMBER 20, 2007

PURPOSE:

An ordinance to provide for the regulation of the parking of certain vehicles in County parking lots, and to provide penalties for the violation thereof.

THE COUNTY OF MUSKEGON, MICHIGAN, ORDAINS:

**Section 1: Title.**

This ordinance shall be known and cited as the Muskegon County Parking Lot Ordinance.

**Section 2: Authority.**

This ordinance is adopted under the authority of the following statutory sections:

MCL 46.201 - 1945 P.A. 58, as amended by 1996 P.A. 534, § 1.

MCL 46.11(j), as amended.

MCL 46.10b(1), (2), (3), as amended.

**Section 3: Repeal.**

The Muskegon County, Michigan Parking Lot Ordinance of 1968, the Addendum thereto, the Amendment dated May 13, 1980, to the Muskegon County, Michigan Parking Lot Ordinance and the Amendment dated April 1, 1985, are repealed.

**Section 4: Definitions.**

“Ancillary Parking” shall mean parking in the County lot located to the east of the Michael E. Kobza Hall of Justice parking lot and bordered by Pine Street on the west, Walton Avenue on the north, Spring Street on the east and Myrtle Avenue on the south.

“Board” shall mean the County Board of Commissioners.

“Hall of Justice parking lot” shall mean the lot for the Michael E. Kobza Hall of Justice, 990 Terrace Avenue, bounded by Pine Street, Apple Avenue, the Michael E. Kobza Hall of Justice, and the Sheriff’s Department.

“South Campus parking lot” shall mean the lot for the Muskegon County South Campus facility, bounded by Apple Avenue on the north, Pine Street on the west and Ambrosia on the south.

“Park” or “parking” shall mean allowing a vehicle to remain standing or stationary, whether or not occupied, and whether or not the engine is operating.

“Truck” shall not mean a sport utility vehicle, van, or pickup truck, unless over 8000 pounds, gross vehicle weight.

“Prompt Update” shall mean within three (3) business days.

**Section 5: Regulations Applicable to Employees and Officials.**

Employees shall be subject to the following regulations and to the general public regulations set forth in Section 6. These regulations do not apply to County Elected Officials, the 10 Judges, the 11 County Commissioners, the County Administrator, the County Directors, or the 3 Court Administrators.

- A. **No Parking In Hall of Justice Parking Lot:** Except as expressly permitted by rule or permitted under Paragraph C of this Section, no Hall of Justice employees shall park in the Hall of Justice parking lot at any time for any purpose without prior written authorization from the County Administrator.
  
- B. **Restricted Parking in the South Campus Parking Lot:** Except as expressly permitted by Paragraph C of this Section, no South Campus employee shall park in any parking spaces other than those available immediately to the south of the parking aisle in the South Campus parking lot without prior written authorization from the County Administrator.
  
- C. **Exception for Weekend, Holiday and Non-Business Hours Parking:** On Saturdays, Sundays, any holidays observed by the government of Muskegon County, and weekdays before 8:00 a.m. or after 5:00 p.m. employees may park in any space other than a reserved space, in the Hall of Justice parking lot or South Campus parking lot.
  
- D. **Handicapped Spaces Are For The Public, Not Employees:** Even if handicapped (i.e., possessing a valid handicapped sticker or license tag), Hall of Justice employees

shall not park in the Hall of Justice parking lot but in the ancillary lot and South Campus employees shall not park in parking spaces other than those provided above in Section B. **This provision may be waived for handicapped employees by the Administrator.**

- E. **Registration of Employee and Official License Tag Numbers:** Not more than thirty (30) days after the adoption of this ordinance, all Hall of Justice and South Campus employees, shall provide to the Muskegon County Sheriff's Department a complete list of the license plate numbers of every motor vehicle that the individual may lawfully drive and may potentially park in any parking lot maintained by the County. Employees shall keep the list provided to the Sheriff's Department promptly updated, as their vehicle ownership (or authorization to use vehicles) changes over time.
  
- F. **Parking Stickers:** Employees shall be issued parking stickers for each vehicle registered. These stickers shall be issued by the Sheriff's Department and shall be continuously displayed on the lower left side of the vehicle's windshield.
  
- G. **Violations; Penalties:** A violation of Section 5 of this Ordinance shall constitute a nuisance and may be abated by a police officer or by the Muskegon County Sheriff's Department, by impoundment of the vehicle involved, by notice of violation, or by removal to a designated motor vehicle impound to be returned only upon payment by the owner of reasonable impoundment fees. A violation of Section 5 of this ordinance shall constitute a civil infraction, subject to the civil fines set forth below, and shall be processed in the same manner as a civil infraction under the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

Failure to Register	\$ 25.00
Failure to Display Parking Sticker	\$ 25.00
Unauthorized Parking in Hall of Justice/South Campus Parking Lots	
First Offense	\$ 25.00
Subsequent Offenses	\$ 50.00
Unauthorized Parking in Handicapped Space	\$130.00
	0

**Section 6: Regulations Applicable to General Public.**

- A. **No Overnight Parking In Hall of Justice Lot:** No vehicle shall be parked in the Hall of Justice parking lot overnight, or for more than twenty-four (24) hours.
- B. **Limited Overnight Parking in the South Campus Parking Lot:** Other than residents and staff of the Veteran's Center and Brink's Hall, there shall be no overnight parking in the South Campus parking lot, or parking for more than twenty-four (24) hours.
- C. **One Space Per Vehicle:** Any vehicle parked in the Hall of Justice parking lot, ancillary parking lot, or South Campus parking lot, must be parked between the lines in a single parking space, not parked in more than one (1) space, and not parked in any place not designated with proper lines as a parking space. A vehicle may be permitted to park temporarily, for less than ten (10) minutes, in unmarked areas other than a fire lane, solely for the purpose of loading or unloading.
- D. **Fire Lanes:** Parking of any vehicle other than an emergency vehicle, in a fire lane, is strictly prohibited.
- E. **Flammable or Explosive Materials:** No vehicle used in the transportation of inflammable or explosive materials or substances, nor any vehicle transporting such materials or substances (except in the vehicle's regular fuel tank) shall be parked within the limits of the Hall of Justice parking lot, ancillary parking lot or South Campus parking lot; provided, however, that this restriction shall not apply to the incidental stopping or parking of such vehicle in the carrying out of authorized loading or unloading operations, with prior notice to the Muskegon County Sheriff's Department.
- F. **Trucks, Trailers, Semi-Trailers:** No truck, trailer, semi-trailer, tractor, school buses, motor homes or other such type of vehicle shall be parked within the limits of the Hall of Justice parking lot, the ancillary parking lot or South Campus parking lot, without the prior written authorization of the Muskegon County Sheriff's Department, except when parked at the loading dock in the process of completing authorized deliveries.
- G. **No Parking For the Purpose of Repair:** No automobile, truck or other vehicle shall be parked within the limits of any street or other public place for the purpose of repairing, remodeling or otherwise working upon said vehicle.
- H. **Unattended Vehicles:** No vehicle shall be parked or permitted to stand with it's motor running at any time when noise or exhaust fumes cause disruption to any facility within the Hall of Justice or South Campus facility.

- I. **No Parking Zones:** When signs have been erected designating a “no parking” zone, the parking by any automobile, truck or other vehicle in such a zone shall be a violation of this ordinance.
- J. **Violations; Penalties:** A violation of Section 6 of this Ordinance shall constitute a nuisance and may be abated by a police officer or by the Muskegon County Sheriff’s Department, by impoundment of the vehicle involved, by notice of violation, or by removal to a designated motor vehicle pound to be returned only upon payment by the owner of reasonable impoundment fees. Any violation of Section 6 of this ordinance shall constitute a civil infraction, subject to the civil fines set forth below, and shall be processed in the same manner as a civil infraction under the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

Unauthorized Parking in Hall of Justice/South Campus Parking Lot	
First Offense	\$ 25.00
Subsequent Offenses	\$ 50.00
Unauthorized Parking in Handicapped Space	
	\$130.00
	0
One Space Per Vehicle	
First Offense	\$25.00
Subsequent Offenses	\$ 50.00
Fire Lanes	\$150.00
Flammable or Explosive Materials	\$500.00
Trucks, Trailers, Semi-Trailers	\$150.00
Parking For the Purpose of Repair	\$ 25.00
Unattended Vehicles With Motor Operating	\$ 25.00
“No Parking” Zones	\$ 10.00
Overnight Parking	
First Offense	\$25.00

**Section 7: Maintenance and Repair.**

The Hall of Justice parking lot, the ancillary lot, and the South Campus parking lot may from time-to-time, in whole or in part, be closed by Order of the Administration to allow for maintenance, repair, snow removal or other activities necessary for the upkeep of the lots. During these times vehicle-parking areas will be restricted and vehicles which fail to comply with the restrictions or are abandoned will be towed at the owner's expense.

**Section 8: Validity.**

Should any section, clause or provision 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 declared to be invalid.

**Section 9: Effective Date.**

This ordinance will become effective immediately upon publication.

Motion by Commissioner Aley, second by Commissioner Collins, carried, to adopt the foregoing resolution at a regular meeting of the Muskegon County Board of Commissioners held on December 11, 2007 at 3:30 PM.

AYES: Wade, Snider, Scolnik, McMurray, Mahoney, Gill, Engle, Derezinski, Collins, Aley, Buzzell

NAYS: None

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Muskegon County Board of Commissioners, Muskegon County, Michigan, at a regular meeting held on December 11, 2007, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

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Karen D. Buie  
County Clerk