

# **CODIFIED ORDINANCES OF TRAVERSE CITY**

## **PART FOUR - TRAFFIC CODE**

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TRAFFIC CODE

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## CHAPTER 410

### Traffic Codes

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#### CROSS REFERENCES

Traffic Violations Bureau - see CHTR. Sec. 69

Traffic rules and regulations in home rule cities - see MCL. Sec. 117.4h

Traffic rules and regulations generally - see MCL Secs. 257.601et seq., 257.634 et seq.

Uniform Traffic Code - see MCL Secs. 257.951 et seq.

Motor Vehicle Code - see MCL 257.1 to 257.923

Parking Violations Bureau - see TRAF. Ch. 488

Traffic citations - see TRAF. 488.05

#### **410.01 ADOPTION BY REFERENCE.**

- a) *Uniform Traffic Code.* The Uniform Traffic Code for Cities, Townships and Villages, sometimes hereinafter referred to in this Traffic Code as the Uniform Traffic Code, promulgated by the Director of State Police and published in the 1979 edition of the Michigan Administrative Code, and amendments as published in the 1981 and 2002 Annual Supplement to the Michigan Administrative Code, in accordance with Act 62 of the Public Acts of 1956, as amended (Administrative Rules R 28.1001 - 28.2075), except as hereafter may be amended or deleted, are hereby adopted by reference as if fully set forth herein, except as may be hereinafter amended or deleted.
- b) *Michigan Vehicle Code.* The Michigan Vehicle Code, 1949 PA 300; MCL 257.1 to 257.923, as amended, is adopted by reference as if fully set forth herein, except as may be amended or deleted. References in the Michigan Vehicle Code to local "authorities" shall mean the City of Traverse City. The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, however, that the City may not impose a penalty of imprisonment for greater than 93 days.  
(Ord. 204. Passed 6-16-86. Ord. 580. Passed 10-21-02.)

#### **410.02 DEFINITIONS.**

References in the Uniform Traffic Code for Cities, Townships and Villages, as adopted in Section 410.01, to the following words and phrases shall have the following meanings:

- a) "Governmental unit" shall mean the City.
- b) "Traffic engineer" shall mean the City Manager or his or her designee.

(Ord. 338. Passed 9-21-92.)

#### **410.03 AMENDMENTS TO UNIFORM TRAFFIC CODE.**

The following sections and subsections of the Uniform Traffic Code for Cities, Townships and Villages, as adopted in Section 410.01, are hereby amended or deleted as set forth and additional sections and subsections are added as indicated.

R 28.1001 Rule 1. (Amended) Words and phrases.

1. As used in this code:

(j) (Added) “Marked crosswalk” means any portion of a roadway distinctly indicated for pedestrian crossing by appropriate markings, signs, barriers, or other devices to give notice thereof.

(s) (Added) “Through or thru,” when prohibited, means a vehicle traveling a highway or street that does not have an origin, destination, or scheduled stop on that highway or street.

(a) Rule 159. Presumption of vehicle weight. (Added) A presumption of the minimum weight of a vehicle shall be established by evidence of the weight indicated on the Michigan registration certificate for the truck or other commercial vehicle in question.

(b) Rule 160. Authority of City Engineer; closing streets. (Added) Unless otherwise provided by law, the City Engineer is hereby authorized to close any highway, street, alley or other right-of-way or portion thereof which is under process of construction, improvement or repair, by placing traffic control devices in accordance with the Michigan Vehicle Code. A person who violates this section is responsible for a civil infraction.

(c) Rule 551 Boarding or alighting from vehicles. (Added) No person shall board or alight from any vehicle while such vehicle is in motion. A person who violates this section is responsible for a civil infraction.

(d) Rule 619. Lights and reflectors. (Added) No person shall operate a **bicycle** on any street, alley or public place from one-half hour after sunset to one-half hour before sunrise, unless the **bicycle** is equipped with lights and reflectors as required by the Motor Vehicle Code applicable to **bicycles**, and unless the same are operating. A person who violates this section is responsible for a civil infraction.

(e) Rule 631. Bicycle parking. (Added) No person shall park a **bicycle** in any street, alley or public place, except in a standing position, and no person shall park a **bicycle** on any sidewalk except in standards provided therefore. A person who violates this section is responsible for a civil infraction.

(f) Rule 702. Pedestrians; right-of-way in crosswalk; violation as a civil infraction.  
(Amended)

1. When traffic-control signals are not in place or not in operation, the driver of a vehicle shall stop and yield the right-of-way to every pedestrian within a marked crosswalk.
2. When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to every pedestrian within an unmarked crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger
3. A pedestrian shall not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it would be impossible for the driver to stop and yield.
4. Every pedestrian crossing a roadway at any point other than within a marked or unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
5. A person who violates this rule is responsible for a civil infraction.

(g) Rule 706. Pedestrians; yielding right-of-way; violation as a civil infraction. (Deleted).

- (h) Rule 1076. Snowmobile operation. (Added) Unless otherwise permitted by State statute or the Uniform Traffic Code, no person shall operate a snowmobile in the City unless authorized by the Police Chief. A person who violates this section is responsible for a civil infraction.

(Ord. 204. Passed 6-16-86. Ord. 320. Passed 12-16-91. Ord. 366. Passed 7-6-93. Ord. 401. Passed 11-21-94. Ord. 597. Passed 3-17-03. Ord. 664. Passed 03-21-05. Ord. 924. Passed 10-3-11)

#### **410.04 AMENDMENTS TO MOTOR VEHICLE CODE.**

The following sections and subsections of the Michigan Vehicle Code, as adopted in Section 410.01, are hereby amended or deleted as set forth and additional sections and subsections are added as indicated.

- (a) MCL 257.252d(1)(k) Impoundment and immobilization (Added). Subsection(1) (k) is added to read in its entirety as follows:

(k) If a vehicle is unattended and the registered owner of the vehicle has six (6) or more unpaid and outstanding civil infraction citations or parking violation notices, in any combination, all of which have been issued for a violation of the Michigan Motor Vehicle Code, as amended, or the Uniform Traffic Code, as amended. In lieu of or prior to impoundment under this subsection, any police officer or authorized City employee may attach or cause to be attached to said vehicle an immobilizing device which will prevent the vehicle from being moved or driven. If an immobilization device is attached, there shall also be attached securely to the vehicle a notice which states:

“CAUTION: THIS VEHICLE HAS BEEN MADE IMMOBILE BY A WHEEL-LOCKING DEVICE. SERIOUS DAMAGE TO THE VEHICLE WILL RESULT IF YOU ATTEMPT TO MOVE THE VEHICLE. RELEASE CAN BE OBTAINED BY:

- (1) Paying the outstanding civil infraction citations or parking violation notices, together with the fee established to cover the costs of attachment and removal of the locking device, or
- (2) Posting a bond to cover the above costs and requesting a hearing.

PAYMENT MUST BE MADE TO THE CITY TREASURER OR THE LARRY C. HARDY PARKING DECK DURING REGULAR BUSINESS HOURS; OR AT OTHER TIMES, TO THE TRAVERSE CITY POLICE DEPARTMENT. ARRANGEMENTS MUST BE MADE WITHIN 48 HOURS AFTER INSTALLATION OF THE DEVICE OR THE VEHICLE WILL BE REMOVED BY IMPOUNDMENT PURSUANT TO MCL 257.252d.

Whenever any police officer or authorized City employee shall issue or have issued an order to impound or immobilize a vehicle as provided herein, it shall thereafter be unlawful for any person to drive or otherwise remove said vehicle if he or she has knowledge of its impending impoundment or immobilization.

MCL 257.252d (8) (Added) to read in its entirety as follows:

- (1) Any bond required for release of a vehicle impounded or immobilized pursuant to subsection (i) shall not exceed the sum of \$500.00.
- (b) MCL 257.252e. Abandoned Vehicle; jurisdiction of court. (Amended) Subsection A is amended to read in its entirety as follows: The following courts shall have jurisdiction to determine if a police agency has acted properly in processing a vehicle under section 252a, 252b(6) to (1), 252c, or 252d:

- (1) The district court shall have jurisdiction to determine if a police agency has acted properly in processing a vehicle under sections 252a, 252b(6) to (10), 252c, or 252d.
- (2) The court specified in the notice prescribed in section 242a(4)(c), 252b(6), 252c(4) or 252d(2)(c) shall be the court which has territorial jurisdiction at the location from where the vehicle was removed or deemed abandoned. Venue in the district court shall be governed by section 8312 of Act No. 236 of the Public Acts of 1961, as amended, being Sec. 600.8312 of the Michigan Compiled Laws.
- (3) If the owner fails to pay the accrued towing and storage fees, the towing and storage bond posted with the court to secure the release of the vehicle under section 252a, 252b, 252c or 252d shall be used to pay the towing and storage fees.
- (c) MCL 257.661b. Riding position. (Added). This section is added to read in its entirety as follows: No person operating a **bicycle** shall ride other than upon or astride the permanent and regular seat attached thereto, or fail to hold the handlebar with at least one hand. A person who violates this section is responsible for a civil infraction.
- (d) MCL 257.674(1)(w) Prohibited parking; exceptions; violation as civil infraction. (Amended). Subsection (1) (w) is amended to read in its entirety as follows: In violation of an official sign restricting the period of time for manner of parking, including on any paved street between the hours of 3:00 a.m. and 6:00 a.m. of any day, except for undertakers, physicians and drivers of emergency vehicles while they are on emergency calls, and further subject to the following:
  - (i) From November 16 through the following April 14, vehicles found parked on any street or alley between the hours of 3:00 a.m. and 6:00 a.m. may be towed away at the owner's expense.
  - (ii) From April 15 through November 15, overnight parking between the hours of 3:00 a.m. and 6:00 a.m. is allowed on Saturday, Sunday and Monday mornings only on any street where parking is otherwise allowed, but excluding Bay Street during the National Cherry Festival, and the central business district which, for purposes of this section, is described as follows: Bounded by Grandview Parkway on the North; Union Street south to the River; Boardman River west, south and east back to Union Street; Union Street north to the alley south of State Street; alley east to Cass; Cass south to Washington, Washington east to Boardman; Boardman north to Front Street; Front Street east to Wellington; Wellington north to Grandview Parkway.
  - (iii) Parking may be allowed between the hours of 3:00 a.m. and 6:00 a.m. all year and at all times on paved streets by Permanent Traffic Control Orders for vehicles with valid overnight parking permits issued by the City provided that the vehicle is parked as permitted by the Permanent Traffic Control Order.
- (e) MCL 257.674(1)(aa) Prohibited parking; exceptions, violation as civil infraction. (Added) Subsection (1)(aa) is added to read in its entirety as follows:
  - (aa) On any street, alley or public parkway without valid registration plates on the vehicle.
- (f) MCL 257.682(1) Stopping for school bus displaying flashing red lights; exception; violation as civil infraction; meeting stopped school bus on divided highway; evidence; community service. (Added) The following shall be added to subsection 1: No school bus driver shall activate the alternating flashing red lights while loading, discharging or waiting to load or discharge passengers at a school or any public street or place so designated by traffic control order.

(Ord. 597. Passed 3-15-03. Ord. 715. Passed 1-2-07. Ord. 752. Passed 6-4-07. Ord. 807 Passed 7-21-08. Ord. 836. Passed 6-15-09. Ord. 849. Passed 11-5-09.)

**410.05 APPLICATION TO NORTHWESTERN MICHIGAN COLLEGE  
PROPERTY.**

The Uniform Traffic Code for Cities, Townships and Villages, and the Michigan Vehicle Code, 1949 PA 300; MCL 257.1 to 257.923, as amended, as adopted in Section 410.01 and as amended Uniform Traffic Code 410.05 in Section 410.03, is hereby made applicable to the property of Northwestern Michigan College located in the City, more particularly described as College Drive between Munson Avenue and Front Street.

This extension of the Uniform Traffic Code and the Michigan Vehicle Code is done pursuant to MCL 257.961, as amended, authorizing the adoption of ordinances governing the operation, parking without fees and speed of motor vehicles upon the property of a community college district.

(Ord. 204. Passed 6-16-86. Ord. 595. Passed 3-17-03.)

# CHAPTER 420

## **Bicycles and Coaster Toys**

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|--------|--|--------|---------------------|
| 420.01 | License required; display; fee.                        | 420.05 | Appearance tickets. |
| 420.02 | Term of license; renewals.                             | 420.06 | Penalty.            |
| 420.03 | Transfer of license.                                   |        |                     |
| 420.04 | Bicycles and coaster toys prohibited in certain areas. |        |                     |

### CROSS REFERENCES

Bicycle paths - see TRAF. 410.03(UTC 4.21)

Bicycles generally - see TRAF. 410.03(UTC 6.28 et seq.)

#### **420.01 LICENSE REQUIRED; DISPLAY; FEE.**

No person shall ride or propel by muscular power any **bicycle** on any street, alley or public place, unless such **bicycle** has been licensed and unless the required license is attached so that it is clearly visible. A fee as determined from time to time by the City Commission shall be charged for each license issued or upon a change of ownership.

#### **420.02 TERM OF LICENSE; RENEWALS.**

**Bicycle** licenses shall be of the permanent type, undated and renewable only upon transfer to a new owner or when the license becomes unreadable. (1976 Code Sec. 25.062)

#### **420.03 TRANSFER OF LICENSE.**

Upon the sale or transfer of a licensed **bicycle** to another owner, a new license will be issued.

#### **420.04 BICYCLES AND COASTER TOYS PROHIBITED IN CERTAIN AREAS.**

The City Commission may, by resolution, prohibit the use of **bicycles**, coaster toys, skateboards, toy vehicles, roller skates, roller blades, in-line skates or other similar wheeled, self-propelled vehicles in certain areas. No person shall ride a **bicycle**, coaster toy, skateboard, toy vehicle, roller skates or roller blades, in-line skates or other similar wheeled, self-propelled device upon any public property or sidewalk where it is prohibited by resolution of the City Commission and so posted. A person who violates this section is responsible for a civil infraction. (Ord. 439. Passed 6-17-96.)

#### **420.05 APPEARANCE TICKETS.**

The Police Chief, the marina security officers and the appointed officers of the Police Department or such other officials as are designated by the City Manager are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (MCLA 764.9c(2); MSA 28.868(3)(2). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements. (Ord. 449. Passed 6-16-97.)

#### **420.99 PENALTY.**

Whoever violates any of the provisions of this chapter is responsible for a civil infraction and shall be assessed a civil fine of not more than one hundred dollars (\$100.00).