

**TITLE VII: TRAFFIC CODE**

**Chapter**

- 70. GENERAL PROVISIONS**
- 71. TRAFFIC RULES**
- 72. PARKING REGULATIONS**
- 73. BICYCLES; SNOWMOBILES**

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## CHAPTER 70: GENERAL PROVISIONS

### Section

#### *Uniform Traffic Code*

- 70.01 Adoption of code by reference
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- 70.03 Availability of copies
- 70.04 Amendments to code
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#### **UNIFORM TRAFFIC CODE**

##### **§ 70.01 ADOPTION OF CODE BY REFERENCE.**

The Uniform Traffic Code for Cities, Townships and Villages promulgated by the Commissioner of State Police on February 14, 1958, and published in Supplement No. 13, as amended February 14, 1961, and published in Supplement No. 25 and as amended February 26, 1968, and published in Supplement No. 54, Michigan Administrative Code, in accordance with Public Act 62 of 1956, State of Michigan, is hereby adopted by reference by the city as Title VII of the City Code, as herein modified.  
(\*75 Code, § 10.1)

##### **§ 70.02 REFERENCES IN CODE.**

References in the Uniform Traffic Code for Michigan Cities, Townships and Villages to **GOVERNMENTAL UNIT** shall mean the City of Wakefield.  
(\*75 Code, § 10.2)

##### **§ 70.03 AVAILABILITY OF COPIES.**

The City Clerk shall publish a supplementary notice setting forth the purpose of the Uniform Traffic Code and of the fact that complete copies of the Code are available at the office of the Clerk for inspection by and distribution to the public at all times, and shall maintain copies in accordance with that supplementary notice.  
(\*75 Code, § 10.3)

**§ 70.04 AMENDMENTS TO CODE.**

The following sections and subsections of the Uniform Traffic Code for Cities, Townships and Villages are hereby amended or deleted as set forth and additional sections and subsections are added as indicated. Subsequent section numbers used in this Title shall refer to the like-numbered section of the Uniform Traffic Code.

(A) Sec. 2.59. Section added to read: "Sec. 2.59. Current Regulations. All intersection stops and yield right-of-way requirements, regulations on stopping, standing or parking; prima facie speed limits; one-way streets, roadways and alleys; crosswalks; restricted turns; through streets; play streets; angle parking zones; all-night parking restrictions; curb loading zones; public carrier stands; parking meter zones and spaces; weight restrictions; no passing zones; traffic control devices heretofore established and effective on the effective date of this Code, shall be deemed established hereunder and shall remain effective until rescinded or modified as herein provided."

(B) Sec. 9.3. Section amended to read: "Sec. 9. 3. Penalties. Except as otherwise provided in this Title every violation of this Title shall be punishable as prescribed in § 10.99 of the Wakefield City Code." ('75 Code, § 10.4)

**§ 70.06 TRAFFIC CONTROL ORDERS AVAILABLE FOR REVIEW.**

The city, from time to time, adopts traffic control orders pursuant to § 2.53 of the Uniform Traffic Code. These traffic control orders are adopted and incorporated herein by reference. The traffic control orders are available for review in the City Clerk's office.

**§ 70.99 GENERAL PENALTY FOR TITLE VII**

Whoever violates any provision of Title VII for which no penalty is otherwise provided shall be subject to the penalty provisions set forth in § 70.04(B).

## CHAPTER 71: TRAFFIC RULES

### Section

- 71.01 Prohibiting truck traffic through certain areas
- 71.02 Establishing snow routes and providing for removal of vehicles
  
- 71.99 Penalty

### § 71.01 PROHIBITING TRUCK TRAFFIC THROUGH CERTAIN AREAS.

(A) It is hereby determined that truck traffic on Putnam Boulevard exists and that traffic has the potential to cause damage to the road surface. No truck shall be permitted to use Putnam Boulevard from its intersection with US-2 to its intersection with Castiel Road, except that truck traffic necessary for local deliveries to residential and commercial sites (as defined by Chapter 155). The restriction of truck traffic by all trucks except for local deliveries will be recognized by the posting of signs on each end of the restricted street. These signs shall be designed and placed consistent with the rules promulgated pursuant to the authority of M.C.L.A. § 257.608. **TRUCK** shall be defined consistent with M.C.L.A. § 257.75 as every motor vehicle designed, used or maintained primarily for the transportation of property.

(B) This section shall be enforced under the direction of the Police Department.  
(Ord. 144, passed 10-23-89) Penalty, see § 71.99

### § 71.02 ESTABLISHING SNOW ROUTES AND PROVIDING FOR THE REMOVAL OF VEHICLES.

(A) The following streets are listed in the priority in which they shall be plowed in case of a snow event and the streets which shall be maintained clear for the passage of emergency vehicles before other streets may be cleared within the city:

- (1) High Street from Rt. 54 to Jackson Heights.
- (2) John Street from Rt. 54 to U.S. 150.
- (3) Main Street from Rt. 54 to U.S. 150.

(B) Definition. **SNOW EVENT.** Falling snow, sleet or freezing rain, or predictions by the U.S. Weather Service for snow, sleet or freezing rain, expected to exceed two inches of accumulation in a 24-hour period in this area.

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(C) Should a vehicle be parked on any snow route, the Police Department shall have the right to cause the vehicle to be towed out of the way of the plowing operation, provided a representative of the Police Department first has made every possible effort to contact the owner or operator of the vehicle, instructed them to remove the vehicle and given the owner reasonable time to remove the vehicle.  
(Ord. 601, passed - - )

**§ 71.99 PENALTY.**

A person who violates the prohibition established by § 71.01 shall be deemed to have committed a civil infraction and be subject to a penalty not to exceed \$500 at the discretion of the court of competent jurisdiction applied to for its enforcement.  
(Ord. 144, passed 10-23-89)

## **CHAPTER 72: PARKING REGULATIONS**

### **Section**

#### ***Parking Violations Bureau; Enforcement***

- 72.01 Establishment
- 72.02 Location of Bureau; adoption of rules
- 72.03 Notice of violation
- 72.04 Disposition of offenses
- 72.05 Violations procedure
- 72.06 Schedule of Uniform Traffic Code violation fines

#### ***PARKING VIOLATIONS BUREAU; ENFORCEMENT***

##### **§ 72.01 ESTABLISHMENT.**

Pursuant to Section 8395 of the Revised Judicature Act, State of Michigan, as added by Public Act 154 of 1968, a Parking Violations Bureau shall be under the supervision and control of the City Clerk. ('75 Code, § 10.31)

##### **§ 72.02 LOCATION OF BUREAU; ADOPTION OF RULES.**

The City Clerk shall, subject to the approval of the City Council, establish a convenient location for the Parking Violations Bureau, appoint qualified city employees to administer the Bureau and adopt rules and regulations for the operation thereof. ('75 Code, § 10.32)

##### **§ 72.03 NOTICE OF VIOLATION.**

The issuance of a traffic ticket or notice of violation by a police officer of the city shall be deemed an allegation of a parking violation. The traffic ticket or notice of violation shall indicate the length of time in which the person to whom the same was issued must respond before the Parking Violations Bureau. It shall also indicate the address of the Bureau, the hours during which the Bureau is open, the amount of the penalty scheduled for the offense for which the ticket was issued and advise that a warrant for the arrest of the person to whom the ticket was issued will be sought if that person fails to respond within the time limited. ('75 Code, § 10.35)

**§ 72.04 DISPOSITION OF OFFENSES.**

No violation not scheduled in this chapter shall be disposed of by the Parking Violations Bureau. The fact that a particular violation is scheduled shall not entitle the alleged violator to disposition of the violation at the Bureau, and in any case the person in charge of the Bureau may refuse to dispose of a violation in which case any person having knowledge of the facts may make a sworn complaint before any court having jurisdiction of the offense as provided by law.

('75 Code, § 10.33)

**§ 72.08 VIOLATIONS PROCEDURE.**

No violation may be settled at the Parking Violations Bureau except at the specific request of the alleged violator. No penalty for any violation shall be accepted from any person who denies having committed the offense and in no case shall the person who is in charge of the Bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to the alleged violation. No person shall be required to dispose of a parking violation at the Parking Violations Bureau and all persons shall be entitled to have a violation processed before a court having jurisdiction thereof if they so desire. The unwillingness of any person to dispose of any violation at the Parking Violations Bureau shall not prejudice him or her or in any way diminish the rights, privileges and protection accorded to him by law.

('75 Code, § 10.34)

**§ 72.06 SCHEDULE OF UNIFORM TRAFFIC CODE VIOLATION FINES.**

The following penalties for parking violations of the Uniform Traffic Code are hereby set out below:

| <i>Offense</i>   | <i>UTC*<br/>Section</i> | <i>Penalty</i> |
|--|-------------------------|----------------|
| Parking too far from curb                                      | 8.1, 8.2                | \$3            |
| Angle parking violations                                       | 8.3                     | 3              |
| Obstructing traffic  | 8.5                     | 5              |
| Prohibited parking (signs unnecessary)                         | 8.10                    |                |
| (a) On sidewalk  |                         | 5              |
| (b) In front of drive or in front of entrance walk             |                         | 5              |
| (c) Within intersection  |                         | 10             |
| (d) Within 15 feet of hydrant                                  |                         | 5              |
| (e) On crosswalk   |                         | 5              |
| (f) Within 20 feet of crosswalk or 15 feet of corner lot lines |                         | 5              |
| (g) Within 30 feet of street side traffic sign or signal       |                         | 5              |

Parking Regulations

|   |            |     |
|---|------------|-----|
| (h) Within 35 feet of railroad crossing   |            | \$5 |
| (i) Within 20 feet of fire station entrance   |            | 5   |
| (j) Within 50 feet of fire station entrance on opposite side of street (signs required) |            | 5   |
| (k) Beside street excavation when traffic obstructed                                    |            | 5   |
| (l) Double parking  |            | 5   |
| (m) On bridge   |            | 10  |
| (n) Within 200 feet of accident where police in attendance                              |            | 3   |
| (o) In front of theater   |            | 5   |
| (p) Blocking emergency exit   |            | 5   |
| (q) Blocking fire escape  |            | 5   |
| In prohibited zone  | 8.10(r)    | 3   |
| In alley  | 8.13       | 3   |
| Parking for prohibited purpose  | 8.14       |     |
| (a) Displaying Vehicle for sale   |            | 3   |
| (b) Working or repairing vehicle  |            | 3   |
| (c) Displaying advertising  |            | 3   |
| (d) Selling merchandise   |            | 3   |
| (e) Storage over 48 hours   |            | \$5 |
| Wrong side of roadway   | 8.15       | 3   |
| Loading zone violation  | 8.16, 8.17 | 3   |
| Bus, parking other than bus stop  | 8.19       | 5   |
| Taxicab, parking other than cab stand   | (8.19)     | 5   |
| Bus, taxicab stand violations   | (8.20)     | 3   |
| Meter violations  | (8.21)     | 1   |
| Meters, not parked within space   | (8.22)     | 2   |
| Failure to set brakes   | (5.58)     | 3   |
| Parked on grade, wheels not turned to curb  | (5.58)     | \$3 |
| Bicycle parking violations  | (6.17)     | 1   |

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| <b>Additional offenses</b>                         |                      |                       |                                     |
|--|----------------------|-----------------------|-------------------------------------|
|  | <i>First Offense</i> | <i>Second Offense</i> | <i>Third and subsequent offense</i> |
| Abandoned vehicle (plus towing and storage charge) | \$5                  | \$5                   | \$5                                 |
| Disabled vehicle, failure to move                  | 10                   | 10                    | 10                                  |
| Keys in vehicle or motor running                   | 10                   | 10                    | 10                                  |
| All night parking                                  | 3                    | 5                     | 10                                  |
| In prohibited zone                                 |                      |                       |                                     |
| (a) Prohibited zone                                | 3                    | 3                     | 3                                   |
| (b) Tow away zone                                  | \$3                  | \$3                   | \$3                                 |
| (c) Fire lane                                      | \$3                  | \$5                   | \$10                                |
| Between sidewalk and curb                          | 3                    | 5                     | 10                                  |
| Private property, without owner's consent          | 5                    | 10                    | Court                               |
| * UTC Section - Uniform Traffic Code Section       |                      |                       |                                     |

('75 Code, §§ 10.36-10.38)

## CHAPTER 73: BICYCLES; SNOWMOBILES

### Section

#### *Bicycles*

- 73.01 Application of traffic regulations
- 73.02 Registration required
- 73.03 Application for registration
- 73.04 Issuance of registration
- 73.05 Registration tag
- 73.06 Ownership; transfer
- 73.07 Inspection of bicycles required
- 73.08 Parking
- 73.09 Riding on sidewalks
- 73.10 Responsibility of parents or guardians
- 73.11 Impounding of vehicles
- 73.12 Enforcement

#### *Snowmobiles*

- 73.25 Definitions
- 73.26 Registration required; exception
- 73.27 Display of identification number
- 73.28 Operation of vehicles restricted
- 73.29 Lights and brakes; warning flags
- 73.30 Notification of accident
- 73.31 Revocation of provisions
  
- 73.99 Penalty

### **BICYCLES**

#### **§ 73.01 APPLICATION OF TRAFFIC REGULATIONS.**

Every person riding a bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under Chapter 126 of the Uniform Traffic Code, except as to those provisions which by their nature can have no application. **BICYCLE** shall have the meaning prescribed in Chapter 126 of the Uniform Traffic Code.  
(75 Code, § 10.81)

**§ 73.02 REGISTRATION REQUIRED.**

No person who resides within this city shall ride or propel a bicycle on any street, sidewalk or upon any public path set aside for the exclusive use of bicycles, unless that bicycle has been registered and a registration tag is attached thereto as provided herein.

('75 Code, § 10.82)

**§ 73.03 APPLICATION FOR REGISTRATION.**

Application for a bicycle registration and registration plate shall be made upon a form provided by the City Clerk and shall be made to the Department of Police. A permanent registration fee of \$.50 shall be paid to the city before any registration tag is issued.

('75 Code, § 10.83)

**§ 73.04 ISSUANCE OF REGISTRATION.**

(A) The Police Department shall not issue any registration tag for any bicycle when it knows or has reasonable ground to believe that the applicant is not the owner of, or entitled to the possession of, that bicycle.

(B) The Department shall keep a record of the number of each registration, the date issued, the name and address of the person to whom issued and the number on the frame of the bicycle for which issued, and a record of all bicycle registration fees collected by the Department. The Department may place numbers on the frames of bicycles which shall be peculiar to the city.

('75 Code, § 10.84)

**§ 73.05 REGISTRATION TAG.**

(A) The Police Department, upon issuing a bicycle registration, shall also issue a registration tag bearing the registration number assigned to the bicycle and the name of the city.

(B) The owner shall cause the registration tag to be firmly attached to the rear fender or frame of the bicycle for which issued in a position as to be plainly visible from the rear.

(C) No person shall remove a registration tag from a bicycle except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in the city.

(D) A charge of \$.50 for any renewal, replacement or transfer of ownership on any licensed bicycle shall be paid to the city.

('75 Code, § 10.85)

**§ 73.06 OWNERSHIP; TRANSFER.**

Upon the sale or other transfer of ownership of a registered bicycle, the licensee by payment of the fee as provided for in § 73.05(D), shall have the plate assigned to the transferee or to another bicycle

owned by the applicant.  
(75 Code, § 10.87)

**§ 73.07 INSPECTION OF BICYCLES REQUIRED.**

The Police Department shall inspect each bicycle before registering the same, and shall refuse a registration for any bicycle which it determines is in unsafe mechanical condition.  
(75 Code, § 10.86)

**§ 73.08 PARKING.**

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in a manner as to afford the least obstruction to pedestrian traffic.  
(75 Code, § 10.88)

**§ 73.09 RIDING ON SIDEWALKS.**

(A) Whenever any person is riding a bicycle upon a sidewalk that person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing that pedestrian.

(B) No person shall ride any bicycle on the sidewalk in any business district where signs prohibiting riding are erected.  
(75 Code, § 10.89)

**§ 73.10 RESPONSIBILITY OF PARENTS OR GUARDIANS.**

No parent of any child, nor guardian of any ward, shall authorize or knowingly permit any child or ward to violate any of the provisions of this subchapter.  
(75 Code, § 10.90) Penalty, see § 73.99

**§ 73.11 IMPOUNDING OF VEHICLES.**

(A) Members of the Police Department are hereby authorized to remove bicycles from a public place to a bicycle pound or other place of safety, under the circumstances hereafter enumerated:

- (1) When any bicycle is deemed to have been abandoned.
- (2) When a violation notice cannot be presented to the owner or operator of the bicycle in person.
- (3) When any bicycle is ridden in any public place without a bicycle license and registration.
- (4) When any bicycle is ridden in any public place at any time from one-half hour after sundown to one-half hour before sunrise unless all required lamps on the bicycle are lighted and in

working order.

(5) When any bicycle is left on the sidewalk blocking pedestrian traffic.  
(75 Code, § 10.91)

(B) Notice. When a bicycle is impounded under the provisions of this division and the Police Department knows or is able to ascertain the owner, thereof, the Police Department shall, within a reasonable period of time, give and cause to be given a notice in writing to the owner of the fact of impoundment and the reasons therefor. (75 Code, § 10.92)

(C) Release. No impounded bicycle shall be discharged or removed from the bicycle pound except upon the payment by the owner or his authorized representative of the sum of \$3 as an impounding fee. (75 Code, § 10.93)

(D) Sale. Any bicycle impounded under the provisions of this subchapter, may, after one month from the date of impoundment, be sold by the Police Department at public sale in substantially the same manner as provided for motor vehicles in M.C.L.A. § 257.252. (75 Code, § 10.94)

#### **§ 73.12 ENFORCEMENT.**

This subchapter may be enforced by issuance of traffic violation notices requiring appearance at the Traffic Violations Bureau.  
(75 Code, § 10.95)

### **SNOWMOBILES**

#### **§ 73.25 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**HIGHWAY** or **STREET**. The entire width between the boundary lines of every publicly maintained highway or street when any part thereof is open to the use of the public for purposes of vehicular travel.

**OPERATE**. To ride in or on or to control the operation of a snowmobile.

**OPERATOR**. Any person who operates or is in actual physical control of a snowmobile.

**OWNER**. Any person, other than a lienholder, having the property in or title to a snowmobile entitled to the use or possession thereof.

**PERSON**. An individual, partnership, corporation, the state and any of its agencies, or subdivisions, and any body or person whether incorporated or not.

**ROADWAY**. That portion of a highway improved, designated or ordinarily used for vehicular travel. If a highway includes two or more separate roadways the term **ROADWAY** refers to any such roadway

separately, but not all such roadways collectively.

**SNOWMOBILE.** Any motorized vehicle designed for travel primarily on snow or ice steered by wheels, skis, runners or endless belt or any combination thereof.  
(Ord. passed 12-15-75)

**§ 73.26 REGISTRATION REQUIRED; EXCEPTION.**

Except as otherwise provided, no snowmobile shall be operated within the city, unless registered by the owner by Act 74 of the Public Acts of 1968, as amended, of the state. No registration is required for a snowmobile operated exclusively on lands owned or under the control of the snowmobile owner.  
(Ord. passed 12-15-75)

**§ 73.27 DISPLAY OF IDENTIFICATION NUMBER.**

The owner of any snowmobile having been issued a certificate of registration for the snowmobile shall paint on or attach in a permanent manner to each side of the forward half of the snowmobile the identification number in block characters of good proportions, not less than three inches in height, reading left to right. The numbers shall contrast so as to be distinctly visible and legible. No number other than the number awarded to a snowmobile under state law, or granted reciprocity under state law, shall be painted, attached or otherwise displayed on either side of the forward half of the snowmobile.  
(Ord. passed 12-15-75) Penalty, see § 73.99

**§ 73.28 OPERATION OF VEHICLES RESTRICTED.**

(A) Except as provided by traffic control orders authorized by § 70.05, no person shall operate a snowmobile upon the main traveled portion of any street or roadway, as defined in Section 55 of Act 300 of the Public Acts of 1949, as amended, being M.C.L.A. § 257.55, or on a highway or street within ten feet of that roadway with the following exceptions:

(1) Properly registered snowmobiles may cross public highways and freeways as defined in Act 300 of Public Acts of 1949 if the crossing can be made in safety and it does not interfere with the free movement of vehicular traffic approaching from any direction on that highway. The snowmobile operator shall yield the right-of-way to all vehicular traffic upon any highway.

(2) Snowmobiles may be operated on streets or roadways in the city which are not regularly maintained for winter vehicular traffic by removal of snow.

(3) Snowmobiles may be operated on streets or highways during a period of emergency, when so declared by a police agency having jurisdiction, when travel by conventional automation equipment is not possible.

(4) Snowmobiles may be operated on a street or highway for a special snowmobile event of limited duration which is conducted according to a prearranged schedule under permit from the governmental unit having jurisdiction.

(5) Every person operating a snowmobile upon a highway, street or roadway shall come to a

complete stop before entering any intersection and shall yield the right-of-way to all oncoming traffic.

(6) Snowmobiles may be operated pursuant to Act 156 of the Public Acts of 1975 on the following streets which are hereby designated as egress and ingress routes: All of Smith Street, all of Ashlund Avenue and that portion of Bedell Avenue north of Pierce Street to Second Avenue, to Anderson Avenue north. Hancock Street and Eddy Street.

(B) No person shall operate a snowmobile:

(1) At a rate of speed greater than is reasonable and proper having due regard for conditions then existing. No snowmobile shall operate at a speed of more than ten miles per hour on any street or roadway within the city.

(2) While under the influence of intoxicating liquor, fermented malt beverages or narcotic drugs, barbitol or nay derivative of barbitol.

(3) In any nursery, planting area or natural area of forest reproduction and when growing stock may be damaged.

(4) Unless it is equipped with a muffler in good working condition and in constant operation to prevent excessive or unusual noise and annoying smoke.

(5) At any place within the confines of Lakeside Cemetery in the city.

(6) Between the hours of 10:00 p.m. and 8:00 a.m. prevailing time.

(7) On any sidewalk which is plowed and open for pedestrian traffic.

(8) All snowmobiles shall travel in single file.

(9) No person under the age of 16 shall operate a snowmobile on the city streets. A person between the ages of 16 and 18 must have in their possession a valid snowmobile safety certificate issued by the Department of Natural Resources to operate on the city streets.

(10) A person operating or riding on a snowmobile on a street or highway in the city shall wear a crash helmet on his head. Crash helmets shall be approved by the Michigan State Police.

(Ord. passed 12-15-75) Penalty, see § 73.99

### **§ 73.29 LIGHTS AND BRAKES; WARNING FLAGS.**

No snowmobile shall be operated in the city unless it has at least one headlight, one taillight and adequate brakes capable of producing deceleration at 14 feet a second on level ground at a speed of 20 miles an hour. No snowmobile shall be operated on any highway, street or roadway unless that snowmobile is equipped with a warning flag of red or blaze colored material, of a size not less than 40 square inches and a height of not less than six feet above the ground. No person shall operate a snowmobile on any highway, street or roadway unless at the time of the operation, the headlight and taillight are turned on.

(Ord. passed 12-15-75) Penalty, see § 73.99

**§ 73.30 NOTIFICATION OF ACCIDENT.**

The operator of a snowmobile involved in an accident resulting in injuries or death of any person or property damage in an estimated amount of \$100 or more, or some person acting for him, or the owner of the snowmobile having knowledge of the accident, shall immediately by the quickest means of communication notify the City Police Department.

(Ord. passed 12-15-75) Penalty, see § 73.99

**§ 73.31 REVOCATION OF PROVISIONS.**

The City Council may, by resolution, immediately revoke any portion of this subchapter which provides for the operation of snowmobiles on any highway, street or roadway, if, in the sole discretion of the City Council, the revocation would be in the best interest of the citizens.

(Ord. passed 12-15-75)

**§ 73.99 PENALTY.**

Any person who violates the provisions of this chapter shall be punished as provided by § 70.99.  
(Ord. passed 12-15-75)

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