

TITLE VII: TRAFFIC CODE

Chapter

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CHAPTER 70: GENERAL PROVISIONS

Section

Bicycles, Skateboards, and In-Line Skates

- 70.01 Definitions
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- 70.03 Responsibilities of parents and guardians

otherwise, including skateboards and in-line skates.

OPERATE. Using, putting into action, or causing the movement of a bicycle by a person mounted thereon.
(Prior Code, § 450.01)

Watercraft

- 70.15 Definitions
- 70.16 Boat docking limitations
- 70.17 “Slow-no wake” zones
- 70.18 Harbor regulations

§ 70.02 OPERATION ON SIDEWALKS.

(A) No person ten years old or more shall operate a bicycle on a public sidewalk.

(B) Persons less than ten years old shall not operate bicycles on the public sidewalks adjacent to Hancock Street between Fifth Street and Lowell Street from May 15 through September 15 each year.
(Prior Code, § 450.02) (Ord. 127, passed 6-11-1984; Ord. 127-A, passed 7-8-1996) Penalty, see § 10.99

Public Ways

- 70.30 Horses with steel shoes

Uniform Traffic Code

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§ 70.03 RESPONSIBILITIES OF PARENTS AND GUARDIANS.

No parent or guardian of a minor under the age of 16 years shall knowingly permit the minor to violate § 70.02.
(Prior Code, § 450.03) (Ord. 127-A, passed 7-8-1996) Penalty, see § 10.99

Michigan Vehicle Code

- 70.60 Adopted by reference

BICYCLES, SKATEBOARDS, AND IN-LINE SKATES

WATERCRAFT

§ 70.01 DEFINITIONS.

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

BICYCLE. Any device having two or more wheels which is propelled by power, human or

§ 70.15 DEFINITIONS.

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

FOURTH STREET DINGHY DOCK. The dock that extends perpendicular to the shoreline located at the west end of the street right-of-way.

THIRD STREET SEAWALL. The full width of the street right-of-way, which is 66 feet. (Prior Code, § 460.01) (Ord. 152, passed 7-11-1994)

§ 70.16 BOAT DOCKING LIMITATIONS.

(A) Boat docking is permitted in accordance with posted signs. Overnight docking is prohibited, and there shall be no docking between the hours of 11:00 p.m. and 6:00 a.m. of the next day on any day. Temporary docking at the Third Street seawall is further limited to three-hours' duration on any one day. Boat lengths not to exceed 14 feet are permitted at the dinghy dock and not to exceed 18 feet at the Third Street seawall.

(B) Government-owned boats are excluded from this section.

(C) The village shall not be liable for loss or damage to property or for personal injury.

(D) A citation which is issued for a violation of this section may be served by attaching it to the improperly docked boat.

(E) The Village Marina Manager is an authorized village official for the purpose of issuing watercraft citations and corresponding municipal civil infractions under this subchapter and Chapter 34.

(Prior Code, § 460.02) (Ord. 152, passed 7-11-1994; Ord. 2006-5, passed 5-8-2006) Penalty, see § 10.99

§ 70.17 "SLOW-NO WAKE" ZONES.

(A) All words and phrases used in this section shall be as construed and defined in Public Act 451 of 1994, being M.C.L.A. §§ 324.80101 *et seq.*, as amended, known as the Marine Safety Act.

(B) No person shall operate a vessel in excess of a "slow-no wake" speed on the waters of Pentwater Lake and the entrance channel to

Pentwater Lake, from the Pentwater entrance channel pierhead to a line from where Bean Street as extended intersects the water's edge, thence in a southwesterly direction to where Suffolk Street as extended meets the water's edge.

(Prior Code, § 460.03) (Ord. 118, passed 1-25-1971; Ord. 141, passed 5-27-1986) Penalty, see § 10.99

§ 70.18 HARBOR REGULATIONS.

(A) The Marina Manager shall give any orders and directions relative to the location, change of place or station, manner of moving, or use of the harbor of every vessel, craft, or float lying, mooring, or laid up in the harbor not in use, as may be necessary to promote good order therein and the safety and equal convenience of any such vessel, craft, or float. No owner, master, or other person having charge of the same shall refuse or neglect to obey any such orders or directions.

(B) Whenever there shall be in the harbor any vessel, craft, or float insecurely fastened, adrift, sunken, or laid up, which may require the same to be fastened, raised, or removed or its location changed, the Marina Manager shall notify the owner, master, or other person who may be in charge of the vessel, craft, or float as aforesaid. However, if no person answering that description can be found by him or her, the notice shall not be required. No person shall refuse or neglect to comply with the order or direction.

(C) If any vessel, craft, or float shall not be secured, raised, or moved or its location changed in compliance with the directions of the Marina Manager, or if he or she shall be unable to serve the notice as aforesaid, then, in either case, the Marina Manager shall cause the vessel, craft, or float to be secured, raised, or removed or its location changed as aforesaid, employing any assistance as may be necessary for the purpose. All expenses which may be incurred, in any case, shall be recoverable from the owner, consignee, master, or other person having charge of the vessel, craft, or float until fully paid. No person shall resist the Marina Manager or any person acting under him or her or in the execution of any duty imposed upon him or her by this subchapter.

(D) No person receiving freight or discharging freight in the cargo of any vessel, craft, or float shall suffer any part of the cargo to remain projecting over the front of any wharf after the vessel, craft, or float shall remove from the wharf.

(E) No master or other person owning or having charge of any vessel, craft, or float shall leave the same in the harbor without having on board or in charge thereof some competent person to control, manage, and license the same, without first obtaining the consent of the Harbor Master therefor.

(F) No master or other person owning or having charge of any vessel, craft, or float shall fail to have and keep on board during the nighttime a conspicuous light or fail to extinguish or safely secure at dark all fires which may be kept on board.

(G) No vessel, craft, or float shall be suffered to be in the harbor adrift or insecurely fastened, nor shall any vessel, craft, or float be allowed to remain in the channel connecting Pentwater Lake and Lake Michigan, except for the purpose of loading or unloading freight, unless the free navigation of the channel would be obstructed thereby.

(H) (1) All penalties, fines, and damages which may be incurred by the owner, consignee, master, or other person having charge of any vessel, craft, or float under any provisions of this section are hereby declared to be recoverable and shall constitute a charge and lien on the vessel, craft, or float.

(2) The lien may be enforced as liens against the property are enforced.

(I) (1) As used in this section, **VESSEL**, **CRAFT**, and **FLOAT** shall be deemed to include every species of steam and other vessels or boats lying or floating in or navigating the harbor, and also rafts, tugs, timber, wood, or other floating matter.

(2) The harbor shall be deemed to include so much of Lake Michigan and Pentwater Lake and the channel between the two lakes as are within the village limits.

(J) This section shall take effect and be in force on and after 9-1-1868.

(Prior Code, § 460.04) (Ord. passed 9-1-1868)

PUBLIC WAYS

§ 70.30 HORSES WITH STEEL SHOES.

Except as otherwise provided in § 112.13, no person shall ride, lead, or allow any horse shod with steel shoes over and upon that part of any public street which has been covered or surfaced with blacktop, pulvi-mix, tarvia, or asphalt.
(Prior Code, § 430.02) (Ord. passed 8-15-1950)
Penalty, see § 10.99

UNIFORM TRAFFIC CODE

§ 70.45 ADOPTION BY REFERENCE.

(A) *Code amendments and revisions adopted.* The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police, pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, M.C.L.A. §§ 24.201 to 24.328 and made effective 10-30-2002, and all future amendments and revisions to the Uniform Traffic Code when they are promulgated and effective in this state are incorporated and adopted by reference.

(B) *References in code.* References in the Uniform Traffic Code for Cities, Townships and Villages are adopted by reference.

(C) *Penalty.* The penalties provided by the Uniform Traffic Code for Cities, Townships, and Villages are adopted by reference.

(D) *Effective date.* This section shall take effect immediately and upon passage and publication according to law.
(Prior Code, § 420.01) (Ord. 149, passed 5-9-1994; Ord. 2009-05, passed 10-12-2009)

§ 70.46 DEFINITION.

References in the Uniform Traffic Code, as adopted in § 70.45, to **GOVERNMENTAL UNIT** shall mean the Village of Pentwater. (Prior Code, § 420.02) (Ord. 149, passed 5-9-1994)

§ 70.47 PUBLICATION AND NOTICE; FILE AND DISTRIBUTION OF COPIES.

The Village Clerk shall publish this subchapter in the manner required by law and at the same time publish a supplementary notice setting forth the purpose of the Uniform Traffic Code and 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. (Prior Code, § 420.03) (Ord. 149, passed 5-9-1994)

MICHIGAN VEHICLE CODE

§ 70.60 ADOPTED BY REFERENCE.

(A) *Code and amendment and revisions adopted.* The Michigan Vehicle Code, 1949 PA 300, M.C.L.A. §§ 257.1 to 257.923, and all future amendments and revisions to the Michigan Vehicle Code when they are effective in this state are incorporated and adopted by reference.

(B) *References in Code.* References in the Michigan Vehicle Code to “local authorities” shall mean the Village of Pentwater.

(C) *Penalties.* The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, however, that the village may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

(D) *Effective date.* This section shall take effect immediately upon passage and publication according to law. (Ord. 2009-06, passed 10-12-2009)

CHAPTER 71: PARKING REGULATIONS

Section

71.01 Overnight parking during winter;
parking longer than 72 hours

§ 71.01 OVERNIGHT PARKING DURING WINTER; PARKING LONGER THAN 72 HOURS.

(A) A vehicle of any nature, whether propelled by motor or otherwise, and whether occupied or unoccupied, shall not be parked or be left standing on any public street, alley, or right-of-way between the hours of 2:00 a.m. and 6:00 a.m. during the months of November through March. Emergency vehicles or calls are exempt from this division (A).

(B) A vehicle of any nature, whether propelled by motor or otherwise, and whether occupied or unoccupied, shall not be parked or left standing in any one place on a public street, alley, or right-of-

way for longer than 72 hours.

(C) Any vehicle in violation of this section may be towed away for storage, and it shall not be returned to its owner until he or she pays all expenses for towing and storing the vehicle.

(D) A citation which is issued for a violation of this section may be served on the registered owner by attaching a copy of it to the vehicle.

(E) The Village Marina Manager is an authorized village official for the purpose of issuing parking citations and corresponding municipal civil infractions under this chapter and Chapter 34. (Prior Code, § 440.01) (Ord. 126, passed 5-30-1984; Ord. 2006-4, passed 5-8-2006) Penalty, see § 10.99

CHAPTER 72: PARKING SCHEDULES

Schedule

- I. Parking in the Village Boat Launch Parking Lot, the Village Marina Parking Lot, and the Village Public Parking Lot
- II. Loading and unloading zone for commercial vehicles

SCHEDULE I. PARKING IN THE VILLAGE BOAT LAUNCH PARKING LOT, THE VILLAGE MARINA PARKING LOT, AND THE VILLAGE PUBLIC PARKING LOT.

(A) *Definitions.* For the purpose of this schedule, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MOTOR VEHICLE. Every vehicle which is self-propelled.

PARK. To stand a vehicle, whether occupied or not, for a period of time greater than is reasonably necessary for the actual unloading of persons or property.

PARKING LOT. The area maintained and designated for the parking of vehicles.

TRAILER. Every device designed or adopted for carrying persons or property by being drawn by a motor vehicle.

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway.

VILLAGE BOAT LAUNCH PARKING LOT. The parking lot located south of East Lake Street and west of Bean Street.

VILLAGE MARINA PARKING LOT. The parking lot located within the Village Marina which is on the west side of South Hancock Street and between Fourth and Sixth Streets.

VILLAGE PUBLIC PARKING LOT. The parking lot located on the east side of South Hancock Street and between East Third Street and East Fourth Street.

(B) *Boat Launch Parking Lot.*

(1) No person shall park a motor vehicle trailer, trailer (including boat trailers), or any other device in the Boat Launch Parking Lot between the hours of 10:00 p.m. and 6:00 a.m. on the following day.

(2) During the hours of 6:00 a.m. to 10:00 p.m., proper parking permits will be required and must

be displayed on the left-hand side of the instrument panel adjacent to the windshield.

(3) Between the hours of 6:00 a.m. and 10:00 a.m., permits may be purchased from the attendant on duty at the Boat Launch Parking Lot.

(4) When the attendant is not on duty, permits will be obtained in the following manner. Envelopes will be available at the Boat Launch Parking Lot for completion for the necessary permit fee. The money will be inserted in the envelope and deposited in the container provided after the permit portion of the envelope has been removed and displayed in the proper location.

(5) Seasonal tickets may be purchased at the Boat Launch, the Marina office, or the village offices, 327 South Hancock Street.

(6) Parking violations will be issued on any vehicle not displaying a valid parking permit.

(C) *Village Marina Parking Lot and Village Public Parking Lot.* Trailers of any type are not allowed parking privileges in the Village Marina Parking Lot or the Village Public Parking Lot. The maximum parking time allowed for a vehicle in the lots is 72 continuous hours. No person shall be granted overnight lodging in the lots.

(D) *Towing away.* The Village Police Department is authorized to provide for the towing away of all motor vehicles, trailers (including boat trailers), and other devices found parked in violation of the provisions of divisions (B) or (C) above, and the property so towed away may be returned to the owner or operator thereof upon payment of all charges incurred to tow away and store the same.

(E) *Citations.* A citation which is issued for a violation of this schedule may be served by attaching it to the motor vehicle, trailer, or other device which is parked contrary to the provisions hereof. (Prior Code, § 440.02) (Ord. 130, passed 6-11-1984; Ord. 130-A, passed 7-25-1994; Ord. 144, passed 6-14-1993) Penalty, see § 10.99

SCHEDULE II. LOADING AND UNLOADING ZONE FOR COMMERCIAL VEHICLES.

(A) *Definitions.* For the purpose of this schedule, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMERCIAL VEHICLE. Any vehicle used to transport, store, pick up, or deliver merchandise or goods to a commercial, retail, industrial, warehouse, or professional service facility.

FREIGHT ZONE. The area adjacent to the curb of the west side of South Hancock Street beginning at a point at the intersection of South Hancock Street and Second Street, thence south along the west side of South Hancock Street 97 feet.

PARK. To stand a vehicle, whether occupied or not, for a period of time greater than is reasonably necessary for the actual unloading of persons on property.

VEHICLE. Every device in, upon, or by which any person or property is or may be transported or drawn upon a highway.

(B) *Freight zone.* The area defined in division (A) above is hereby designated as a freight zone. Only commercial vehicles which are being loaded or unloaded may park in this freight zone on Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m.

(C) *Towing away.* The Village Police Department is authorized to provide for the towing away of all vehicles parked in the freight zone contrary to the provisions of division (B) above. The owner or operator of the vehicle towed away may reclaim it by paying all charges incurred to tow away and store the vehicle.

(D) *Citations.* A citation which is issued for a violation of this schedule may be served by attaching it to the motor vehicle, trailer, or other device which is parked contrary to the provisions hereof. (Prior Code, § 440.03) (Ord. 128, passed 6-11-1984) Penalty, see § 10.99

