

CHAPTER 420
Administration and Enforcement

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CROSS REFERENCES

Police Department - see ADM. Ch. 242
Enforcement of Michigan Vehicle Code - see TRAF. 410.02
Parking Violations Bureau - see TRAF. Ch. 440

420.01 DUTIES OF POLICE DEPARTMENT.

It shall be the duty of the Chief of Police, with such aid as may be rendered by other members of the Police Department, to enforce the provisions of this Traffic Code and the State vehicle laws applicable to traffic in the City, to make arrests for traffic violations, to assist in the prosecution of persons charged with such violations, to investigate accidents, to cooperate with other officials of the City in the administration of this Traffic Code and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed by this Traffic Code.
(1957 Code, Ch. 9101, §63)

420.02 ISSUANCE OF CITATIONS.

(a) Except when officially authorized or directed under State law to the contrary, a police officer who halts a person for any violation other than for the purpose of giving him or her a warning or warning notice and does not take such person into custody under arrest, shall take the name, address, and operator's license number of said person, the registered number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him or her, in writing, a traffic citation.

(b) Whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions imposed by this Traffic Code or by State law, the police officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation. (1957 Code, Ch. 9101, §64)

420.03 NOTICE OF IMPOUNDING.

(a) Whenever a police officer removes a vehicle from a street as authorized in Section 420.15, and the officer knows or is able to ascertain the name and address of the owner thereof, such officer shall, within a reasonable period of time, give or cause to be given notice in writing to such owner of the fact of such removal, and the reasons therefor, and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a garage, a copy of such notice shall be given to the proprietor of such garage.

(b) Whenever an officer removes a vehicle from a street as authorized in Section 420.15, and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three days, then and in that event the officer shall, within a reasonable period of time, send or cause to be sent a written report of such removal by mail to the Commissioner of State Police, and shall file a copy of such notice with the proprietor of any garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored. (1957 Code, Ch. 9101, §65)

420.04 MAINTENANCE OF FILES.

(a) Traffic Violations. The Police Department shall keep a record of all violations of this Traffic Code, except standing or parking violations, and of the State vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall be so maintained as to show the types of violations and the totals of each. Said record shall accumulate during at least a five-year period, and from that time forward the record shall be maintained complete for the most recent five-year period.

(b) Drivers' Records. The Police Department shall maintain a suitable record of all traffic accidents, warnings, arrests, convictions, and complaints reported for each driver, except those concerning standing or parking, which shall be filed alphabetically under the name of the driver concerned. Such records shall accumulate during at least a five-year period, and from that time forward such records shall be maintained complete for at least the most recent five-year period.

(c) Accident Reports. The Police Department shall maintain a suitable system of filing traffic accident reports. Accident reports, or cards referring to them, shall be filed alphabetically by location. The Police Department shall receive and properly file all accident reports made to it under State law, or under this chapter.

(1957 Code, Ch. 9101, §66)

420.05 POLICE REPORTS.

(a) Accident Reports. Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident of which report must be made as required in this Traffic Code, either at the time of and at the scene of the accident or thereafter, by interviewing participants or witnesses, shall promptly, after completing such investigation, forward a written report of such accident to the Police Department. It shall be the duty of all police officers to report to the Commissioner of State Police, on the form provided, reports received of all accidents.

(b) Annual Traffic Safety Report. The Police Department shall annually prepare a traffic report which shall be submitted to the Council. Such report shall contain information on traffic matters in the City as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
- (2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police;
- (3) Plans and recommendations for future traffic enforcement activities.

(1957 Code, Ch. 9101, §67)

420.06 TRAFFIC CONTROL ORDERS.

Subject to approval by the Council as herein specified, the Chief of Police is hereby authorized to issue Traffic Control Orders with respect to the following:

- (a) Stop Signs. To determine and designate intersections where conditions warrant the stopping of traffic, to determine whether vehicles shall stop at one or more entrances to any such intersection, and to erect a stop sign at every place where he or she shall find a stop required, except at those intersections which are controlled by automatic signals or other traffic control devices.

- (b) Yield Right-of-Way Signs. To determine and designate intersections where conditions warrant requiring traffic to yield the right-of-way to cross traffic and to determine whether vehicles shall yield the right-of-way at one or more entrances to any such intersection. A yield right-of-way sign shall be erected at every place where approaching traffic is required to yield the right-of-way.
- (c) Stopping, Standing or Parking. To prohibit or restrict the stopping, standing, or parking of vehicles on any street of the City, and to erect signs giving notice thereof, where, in his or her opinion, such stopping, standing or parking of vehicles interferes with the movement of traffic thereon, and to prohibit or restrict all night parking when deemed necessary or advisable throughout the Village or on certain streets, and to erect signs giving notice thereof.
- (d) Speed Restrictions. To establish, increase, or decrease speed limits provided by law and to erect signs giving notice thereof, as follows:
- (1) Establish prima-facie lawful speed limits on highways outside of business or residential districts, which shall in no case be less than twenty-five miles per hour.
 - (2) Increase the prima-facie speed limits on through highways within business or residential districts.
 - (3) Establish the prima-facie speed limit in public parks, alleys and cemeteries.
- (e) One-Way Streets, Roadways and Alleys. To designate one-way streets, roadways, or alleys, and to place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.
- (f) Crosswalks and Traffic Lanes.
- (1) To designate and maintain by appropriate devices, marks, or lines upon the surface of the roadway, within the City, crosswalks at those places where he or she shall find that there is particular danger to pedestrians crossing the roadway, and when he or she shall further find that the existence of a crosswalk will reduce that danger.
 - (2) To mark lanes upon the roadway of any street where he or she shall find that a regular alignment of traffic is necessary in the interests of safety and efficiency, or at such places as he or she may find to be advisable, consistent with this Traffic Code and State law.
- (g) Restricted Turn Signs. To determine those streets or intersections of such streets from which drivers of vehicles shall not make a right, left, or U turn, and to place proper signs upon such streets and at such intersections. The making of such turns may be prohibited between the hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are unrestricted.

- (h) Turning Markers. To place markers, buttons, or signs within or adjacent to intersections and thereby require and direct that a different course from that specified in this Traffic Code be traveled by vehicles turning at an intersection, and when markers, buttons or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, or signs.
- (i) Angle Parking. To determine the location of angle parking zones which shall be indicated by appropriate signs giving notice thereof.
- (j) Curb Loading Zones. To determine the location of curb loading zones in front of any public building, theater, school, church, hospital or similar institutional building, and to place and maintain appropriate signs indicating the same and stating the hours during which such zones shall be restricted for loading purposes.
- (k) Public Carrier Stands. To establish bus stops, bus stands, taxicab stands, and stands for other passenger common-carrier motor vehicles on such public streets, in such places and in such number as he or she shall determine to be of the greatest benefit and convenience to the public. Every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs, which he may cause to be erected by the carrier for whom said stand is designated, unless otherwise directed by the Council.
- (l) Metered Parking Zones. To determine and designate metered parking zones, and to install and maintain as many parking meters as necessary in said metered parking zones, where it is determined that the installation of parking meters is necessary to aid in the regulation, control, and inspection of the parking of vehicles.
- (m) Weight Restrictions. To prohibit the use of the roadway by trucks or other commercial vehicles, and to impose limitations as to the weight thereof on designated streets where in his or her opinion the public safety is concerned, but said prohibitions and limitations shall not become effective until notice thereof is given by means of appropriate signs placed on such streets.
- (n) No Passing Zones. To designate no passing zones on streets and parts of streets. Signs shall be erected or the roadway shall be marked in accordance with the manual and specifications adopted by the Commissioner of State Police and the State Highway Department indicating such restriction and the limits thereof.
(1957 Code, Ch. 9101, §68)

420.07 ADOPTION OF REGULATIONS.

The authority to regulate traffic contained in Section 420.06 shall be exercised by the Chief of Police by the issuance of Traffic Control Orders which shall specify the rules and regulations to be adopted or established. Such Traffic Control Orders shall become effective upon being approved by the Council and filed with the City Clerk and upon erection of adequate signs or signals giving notice of the existence of such regulations, if signs or signals

signals are required by the provisions of this Zoning Code pertaining to such regulations. All such Orders and any action modifying or repealing such Orders shall be kept in a separate book by the Clerk to be known as the Traffic Control Order Book.

(1957 Code, Ch. 9101, §69)

420.08 EVIDENCE OF REGULATIONS.

A copy of a Traffic Control Order certified by the City Clerk to be a true transcript compared by him or her with the original in his or her office, shall be evidence in all courts and proceedings in like manner as the original would be if produced. If it shall appear that a traffic control sign, signal, or device conforming to the provisions of this chapter was erected or in place when the alleged violation of this chapter occurred, such showing shall be prima-facie evidence of the existence of a lawful traffic control order authorizing such traffic control sign, signal or device, and it shall be unnecessary for the prosecution to affirmatively show the existence of a valid traffic control order in such cases, unless and until such presumption is rebutted by competent evidence.

(1957 Code, Ch. 9101, §70)

420.09 MANUAL FOR TRAFFIC CONTROL DEVICES.

In all respects all traffic-control signs, signals, and devices shall conform to the manual and specifications adopted by the Commissioner of State Police and the State Highway Department.

(1957 Code, Ch. 9101, §71)

420.10 CURRENT REGULATIONS.

All intersection stops, yield right-of-way requirements, regulations on stopping, standing or parking, speed restrictions, one-way streets, roadways and alleys, crosswalks and traffic lanes, restricted turn regulations, special turn regulations, angle parking zones, curb loading zones, public carrier stands, parking meter zones and spaces, weight restrictions, no passing zones and traffic control devices established and effective in the City when this Traffic Code becomes effective, shall be deemed established under Traffic Control Orders and shall remain effective until rescinded or modified by a Traffic Control Order adopted in conformity with this chapter.

(1957 Code, Ch. 9101, §72)

420.11 UNAUTHORIZED DISPLAY OF SIGNS, SIGNALS, OR MARKINGS.

(a) No person shall place, maintain, or display upon or in view of any highway any unauthorized sign, signal, marking, device, decoration or banner which purports to be or is in imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view, or interferes with the effectiveness of, any traffic control device or any railroad sign or signal.

(b) Subsection (a) hereof shall not be deemed to prohibit the erection upon private property adjacent to streets of signs giving useful directional information and of a type that cannot be mistaken for traffic signs or signals.

(c) Every such prohibited sign, signal, marking, device, decoration or banner is hereby declared to be a public nuisance and the Chief of Police is hereby empowered to remove the same or cause it to be removed without notice.

(d) Decorations or banners which may be placed over the traveled portion of any street or highway shall be placed not closer than ten feet on either side of traffic lights or signals and shall be so placed as to not obstruct a clear view of such traffic lights or signals.
(1957 Code, Ch. 9101, §73)

420.12 DAMAGE TO TRAFFIC CONTROL DEVICES.

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any traffic control device.
(1957 Code, Ch. 9101, §74)

420.13 DIRECTING TRAFFIC.

(a) Officers of the Police Department, or such special officers as are assigned by the Chief of Police, are hereby authorized to direct all traffic by voice, hand, or signal in conformance with this Traffic Code, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, police officers may direct traffic as conditions may require notwithstanding the provisions of this Traffic Code.

(b) Members of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.
(1957 Code, Ch. 9101, §75)

420.14 INSPECTION OF VEHICLES.

Any police officer is hereby authorized, on reasonable grounds shown, to stop any motor vehicle and inspect the same, and if any defects in equipment are found, to arrest the driver.
(1957 Code, Ch. 9101, §76)

420.15 IMPOUNDING OF VEHICLES.

Any police officer is hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the Police Department, or otherwise maintained by the City under the circumstances hereinafter enumerated.

(a) When any vehicle is left unattended upon any bridge, viaduct, causeway or subway where such vehicle constitutes an obstruction to traffic.

- (b) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
- (c) When a vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
- (d) When a vehicle is found being driven upon the streets and is not in proper condition to be driven.
- (e) When a vehicle is left unattended upon a street continuously for more than forty-eight hours and may be presumed to be abandoned.
- (f) When the driver of such vehicle is taken into custody and such vehicle would thereby be left unattended upon a street.
- (g) When removal is necessary in the interest of public safety because of fire, flood, storm, snow or other emergency reason.
- (h) The officer impounding a vehicle shall be responsible for compliance with Section 420.03.
(1957 Code, Ch. 9101, §77)

420.16 DUTIES OF CITY CLERK AND CHIEF OF POLICE.

- (a) Traffic citation forms for notifying alleged violators to appear and answer to charges of violating traffic laws and ordinances and the corresponding complaint forms therefor, shall be maintained by the Chief of Police or his or her duly authorized designee.
- (b) The City Clerk shall receive applications for permits for parades and other processions and issue permits for such parades or other processions, subject to the approval of the Chief of Police.
(1957 Code, Ch. 9101, §78) (Ord. 2016-04. Passed 4-19-16.)