

**VILLAGE OF NEW HAVEN
COUNTY OF MACOMB, STATE OF MICHIGAN
ORDINANCE NO. 358**

**AN ORDINANCE TO PROVIDE FOR REMOVAL OF VEHICLES FROM
PUBLIC AND PRIVATE STREETS DURING SNOW ACCUMULATIONS
GREATER THAN ONE INCH AND DURING SNOW EMERGENCIES**

THE VILLAGE OF NEW HAVEN ORDAINS THE FOLLOWING:

SECTION 1: SHORT TITLE

This Ordinance shall be known and cited as the “Village of New Haven Revised Winter Parking Ordinance.”

SECTION 2: ENABLING AUTHORITY AND PURPOSE

This Ordinance is adopted pursuant to Public Act 3 of 1895, as amended, for the health, safety, and welfare of Village residents by providing for the removal of vehicles from public and private streets during snow accumulations greater than one inch and during snow emergencies.

SECTION 3: DECLARATION OF SNOW EMERGENCY

The Village may declare a snow emergency in its discretion. The Village shall immediately publicize the snow emergency and the parking prohibition by posting notice to the Village website and in any other manner reasonably calculated to inform Village residents of their responsibilities.

SECTION 4: PARKING PROHIBITION

- a. All parked vehicles must be removed from any and all public and private streets within the Village when one inch or more of snow has accumulated on any such streets.
- b. One hour after a snow-emergency notice has been published, all parked vehicles must be removed from all public and private streets.
- c. Any vehicle remaining on a street after accumulation of more than one inch of snow or during a snow emergency shall be towed and/or issued a municipal civil infraction at the vehicle owner’s expense.
- d. The parking prohibition shall end 36 hours after the weather conditions creating the emergency or one-inch accumulation have stopped. The Village may extend the duration of a snow emergency at its discretion for additional periods pursuant to notice.
- e. The registered owner of a vehicle shall be presumed to be the person who parked such vehicle in violation of this ordinance.

SECTION 5: ABANDONED OR DISABLED VEHICLE

Whenever a vehicle becomes disabled for any reason on any street during a snow emergency or when more than one inch of snow has accumulated on any street within the Village, the owner or person operating the vehicle shall take immediate action to have the vehicle removed. No person shall leave any disabled vehicle except to secure assistance with its removal, but that person shall return to the vehicle immediately after assistance has been secured.

SECTION 6: VIOLATIONS AND PENALTIES

Any person who violates the provisions of this ordinance shall be subject to the penalty provisions set forth in Ordinance 333, Municipal Civil Infractions, in addition to the specific towing sanctions and costs provided for in Section 4c of this Ordinance.

SECTION 7: REPEAL OF CONFLICTING PROVISIONS

All ordinances or resolutions in conflict with any part of this Ordinance, are hereby repealed to the extent of the conflict. Village of New Haven Ordinance No. 297 and all applicable amendments to Ordinance No. 297 are hereby repealed entirely.

SECTION 8: SEVERABILITY

If any part of this Ordinance is held invalid or unconstitutional for any reason, the remaining parts of this Ordinance shall remain unaffected.

SECTION 9: EFFECTIVE DATE

This Ordinance shall take effect twenty (20) days after adoption by the Village council, or immediately upon publication, whichever date occurs first.

[Signatures on Following Page]

President of the Village of New Haven

Date

I, _____, the undersigned Clerk of the Village of New Haven hereby certify that the foregoing ordinance was duly adopted by the Village Council for the Village of New Haven at a regularly scheduled council meeting held on _____, 2018, by the following votes of the membership thereof:

Motioned by: _____

Seconded by: _____

Ayes: _____

Nays: _____

Absent: _____

I, the undersigned Clerk of the Village of New Haven, do hereby certify that on _____, 2018, the foregoing ordinance, or summary thereof, was duly published in The Voice Newspaper, a newspaper having general circulation within the Village of New Haven, as well as the Village of New Haven website.

Village of New Haven Clerk

Date