# CHARTER TOWNSHIP OF GENESEE GENESEE COUNTY, MIClllGAN

**ORDINANCE NO.** 594

An Ordinance which amends Article XVII; of Ordinance No. 379 of the Code of Ordinances of the Charter Township of Genesee,Michigan, by adding Section 17.11, which shall prohibit the parking of motor vehicles, motorcycles, trailers, mobile homes, wheeled farm implements, and all licensed and unlicensed vehicles, upon the shoulder and/or ditch of any roadway or upon private property within the Charter Township of Genesee, Michigan.

THE **<;HARTER TOWNSHIP OF** G'.ENESEE, **MICIDGAN ORDAINS:**

**That Article XVII of Ordinance No. 379 of the Code of Ordinances of the Charter To-wnship of Genesee, Michigan, is hereby amended by adding a Section to be numbered 17.11, which said Section shall reads as follows:**

**Definitions**

**PARKING·oF MOTOR VEHICLES**

#### For the purpose of this Section, the following terms shall have the ·meaning indicated. unless their context requires a different meaning.

1. "Highway or street'' defined.

"Highway or street" means the entire width between the boundary lines of everyway publicly maintained when any part thereof is open to the use of the public jot purposes of vehicular travel. MCL 257.20

1. "Motorcycle'' defined.

''Motorcycle 11 means a motor vehicle that has a saddle **or** seat for the use of the rider and is designed to travel q not more than 3 wheels in contact with the ground. Motorcycle includes an autocycle, hut does not include a f:actor. MCL 257.31

1. "Motor home'' defined..

"Motor home,, means a motor vehicle constructed or altered to provide living

quarters, including permanently installed cooking and sleeping facilities, and is used for recreation, camping, or other noncommercial use.. A1CL 257.32a

1. "Motor vehicle" defined.

''Motor vehicle" means every vehicle that is self-propelled, but for purposes of chapter 4, motor vehicles does not include industrial equipment such asa forklift, a front-end loader, or other construction equipment that is not subject to registration under this act. Motor vehicle does not include a power-driven mobility device when that power-driven mobility device is being used by a:n individual with a mobility disability. Motor vehicle does not include an electric patrol vehicle being operated in compliance with the electric patrol vehicle act, 1997 PA 551 MCL 257.1571 to 257.1577.Motor vehicle does not include an electric personal assistive mobility device. Motor vehicle does not include an electric carriage. Motor vehicle does not include a commercial quadricycle. 1W:otor vehicle does not include an electric bicycle. Motor vehicle does not include a-a electric skateboard MCL 257.33

'E. "Parking" defined.

"Parking" means standing a vehicle, whether occupied or not, upon a highway, when not loading or unloading except when making necessary repairs. MCL 257.38

1. "Recreational vehicle" defined.

"Recreational vehicle" means a new or used vehicle that has its own motive power or is towed by a motor vehicle; is primarily designed to provide temporary living quarters for recreational, camping, travel, or seasonal use; complies with all applicable federal vehicle regulations; and does not require a special highway movement permit under section719ato be operated or towed on a street or highway. The term includes, but is not limited to, a motor home, travel trailer, park model trailer that does not require a special highway movement permit under section 719>a or-pickup camper. 1v.fCL 257.49a

1. "Roadway" defined.

"Roadway" means that portion of a highway improved, designed or ordinarily used for vehicular travel. In the event a highway includes 2 or more separate roadways, the term "roadway", as used herein, shall refer to any such roadway separately, but not to all such roadways collectively. MCL 257.55

1. shoulder and ditch slope" defined.

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"Shoulder" means that portion of the highway contiguous to the roadway ge71erally extending the contour of the roadway, not designed for vehicular travel but

maintai.ned for the temporary accommodation of disabled or stopped vehicles otherwise permitted on the roadway.

"Ditch slope" is that portion of the highway adjacent to the shoulder if one exists or adjacent to the roadway on roads without shoulders, extending to the bottom of the roadside ditch and is not constructed or maintained for the use of any vehicles except those engaged in construction or maintenance. MCL 257.59a

1 "Trailer" defined.

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"Trailer" means every vehicle with or without motive power, other than a pole-

trailer, designed for carrying property or persons and for being drawn by a motor vehicle and so constructed that no part of its weight rest$ upon the towing vehicle. Trailer does not include any implement of husbandry. MCL 257.73

J. "Trailer coach'' defined.

"Trailer coach" means every vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes and drawn by another vehicle. MCL 257.74

### Section 17.11

1. No person shall park any motor vehicle, motorcycle, or other licensed vehicle, including 'trailers , travel or otherwise, coaches, recreational vehicles, m9bile homes, or any unlicensed vehicle, including all off road recreational vehicles and wheeled farm implements, on the shoulder and/or ditch slope of any roadway within the Charter Township of Genesee Michigan.
2. No person shall park any motor -vehicle, motorcycle, or other licensed vehicle, including trailers, travel or otherwise, coaches, recreational vehicles, mobile homes, or any unlicensed vehicle, including all off road recreational vehicles and wheeled farm implements, upon any private property or parking lot or within any driveway

unless he shall have the consent of the owner, tenant or other person in occupancy

or possession of same, whether the same be posted or not. ..

# Penalty

Any person who violates this Ordinance shall be responsible for a municipal civil infraction and be subject to the penalties and provisions of the Charter Township of Genesee Ordinance Number 559.

**Severability**

If any portion of this Ordinance shall be determined invalid or unconstitutional by a Court

## the remainder shall be considered severable and shall remain in full force and effect.

**Publication**

This Ordinance shall be published in a newspaper circulated within the Charter Township

#### of Genesee Genesee County, Michigan.

**Effective Date**

This Ordinance shall take effect immediately upon publication after adoption.

Introduction: First Reading

 September 25, 2019

#### First Publication:

October 2t 2019

Adoption: Second Reading

 October 8, 2019

Second Publication:

 October 23, 2019

# Certification.

We, the undersigned, being respectively the Township Supervisor and Township Clerk of Charter Township of Genesee, Genesee County, Michigan, do hereby certify that the above Ordinance No.22,LoftheCharter Township of Genesee was duly adopted by the Township Board of the Charter Township of Genesee, at which meeting a quorum was present.

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