

VILLAGE OF KALEVA

ORDINANCE NO. \_\_\_\_\_ - \_\_\_\_\_

VILLAGE OF KALEVA WINTER PARKING 2025

MANISTEE COUNTY, MICHIGAN

An Ordinance to provide and foster public peace, health, safety and welfare through improved street safety and efficient administration of snow removal services by regulating the parking of motor vehicles, tractor trailers, house trailers upon the public roads, streets and rights of way within the Village of Kaleva; to provide penalties for the violation of this Ordinance; to repeal any Ordinance or parts of Ordinances in conflict therewith.

THE VILLAGE OF KALEVA ORDAINS:

SECTION 1: Title

This Ordinance shall be known and may be cited as the "Village of Kaleva Winter Parking Ordinance of 2025".

SECTION 2: Purpose

The purpose of this Ordinance is to limit and restrict the storage, placement and parking of vehicles, as hereinafter defined, within the corporate limits of the Village of Kaleva, Manistee County, Michigan, in order to protect and secure the health and safety of vehicular and pedestrian traffic and to facilitate the administration of snow removal between the hours of 11:00 pm and 7:00 am during the period from November 1<sup>st</sup> of each year through April 15<sup>th</sup> of the succeeding year, inclusive.

SECTION 3: Definitions

For the purpose of this Ordinance, the following definitions shall apply:

- A. "Street" shall mean that portion of roadway improved, designed, or ordinarily used for vehicular travel. In the event a roadway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately, but not to all such roadways collectively.
- B. "Shoulder" shall mean that portion of the street contiguous to the roadway generally extending the contour of the roadway, not designed for vehicular traffic but maintained for the temporary accommodation of disabled or stopped vehicles otherwise permitted on the streetway.
- C. "Motor vehicle" shall mean every vehicle which is self-propelled.
- D. "Vehicle" shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway.

- E. "Parking" shall mean standing a vehicle, whether occupied or not, upon a roadway or shoulder, when not loading or unloading except when making necessary repairs.

#### SECTION 4: Regulations

No person shall park any vehicle in or upon a streetway or shoulder of a roadway or street within the corporate limits of the Village of Kaleva, during the hours from 11:00 p.m. to 7:00 a.m. from November 1<sup>st</sup> of each year through April 15<sup>th</sup> of the succeeding year, inclusive, and during snow emergencies.

#### SECTION 5: Nuisance

Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition the Village of Kaleva may also impound any vehicle parked in violation of this Ordinance, may assess the charges and expenses of such impoundment to the owner of such vehicle and may continue such impoundment until the said charges and expenses are paid in full.

#### SECTION 6: Enforcement and Penalties

- A. Enforcement. This Ordinance shall be enforced by the Zoning Administrator or by such other person or persons as the Village of Kaleva may designate.
- B.. Any person who violates any provisions of this Ordinance shall be deemed guilty of a municipal civil infraction as defined by Michigan stature and may, upon conviction, be subjected to punishment by a fine of not more that one hundred and no/100 (\$100.00) Dollars. Each day that a violation exists shall constitute a separate offense for enforcement purposes.

#### SECTION 7: Non-Repeal

The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any Court of competent jurisdiction; it shall not affect any portion of this Ordinance other than said part or portion thereof. Any Ordinances or parts of ordinances of the Village of Kaleva which are in conflict herewith are hereby repealed, effective on the effective date of this Ordinance.

Motion by\_\_\_\_\_. Second by \_\_\_\_\_.  
to approve the Ordinance to take effect immediately upon approval.

Those Voting in Favor:

Those Voting Against:

Those Absent or Abstaining:

Ordinance Declared PASSED

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Dan Holtz, President of the Village of Kaleva

CERTIFICATION

The undersigned Clerk of the Village of Kaleva hereby certifies that the foregoing is a true and accurate copy of the Ordinance adopted by the Village Trustees at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, which meeting was duly noticed and called in accordance with Act 267 of the Public Acts of 1976, as amended.

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Mandy Kaczmarczyk, Clerk, Village of Kaleva