

## **ORDINANCE No. 21**

An Ordinance Relating to Traffic.

THE VILLAGE OF DECATUR ORDAINS:

### **SECTION 1. VEHICLE; PRUDENT DRIVING; EXCESSIVE SPEEDS UNLAWFUL.**

A. – Any person driving a motor vehicle on any of the public highway, street or alley within the corporate limits of the Village of Decatur shall drive the same at a careful and prudent speed not greater than, nor less than, is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions then existing, and no person shall drive any motor vehicle upon such highway, public street or alley at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead, provided:

B. – No person shall drive any motor vehicle in excess of such maximum speed limits as may be established by this Ordinance upon any such public highway, street or alley. **(ord 21 eff. Feb. 1, 1969)**

### **SECTION 2. SPEED; SIGNS; PRIMA FACIE EVIDENCE.**

Subject to the provisions of Subdivision A of Section 1 of this Ordinance, whenever the constituted authorities of the Village of Decatur, or of the State of Michigan, shall designate a rate of speed for motor vehicles by appropriate signs erected along any such public highway, street or alley so as to be reasonably visible to any person operating a motor vehicle thereon, it shall be prima facie lawful for the driver of a motor vehicle to drive the same upon such public highway, street or alley, or portions thereof, at the rate of speed so designated by such sign or signs, so long as such sign or signs shall be so erected and maintained, provided: that no person shall operate a motor vehicle upon such highway, street or alley, or any portion thereof whereon such sign may be erected and maintained in excess of the speed designated by such sign. **(ord. no. 21 eff. Feb. 1, 1969)**

### **SECTION 3. 15-MILE SPEED LIMIT; 25-MILE SPEED LIMIT; AREA.**

Except as provided in Section 2 of this Ordinance, no person shall operate or drive a motor vehicle upon School Street, Eli Street, George Street, north of Delaware Street and upon Phelps Street between Sherwood and St. Mary's Streets in excess of fifteen miles per hour and upon any other public highway or street in said Village in excess of twenty-five miles per hour. **(ord. no. 21 eff. Feb. 1, 1969)**

### **SECTION 4. TRAFFIC SIGNALS.**

The driver of any vehicle shall carefully observe and obey all traffic signals and stop signs. **(ord. no. 21 eff. Feb. 1, 1969)**

### **SECTION 5. NO PARKING AREAS.**

There shall be no parking allowed on Delaware Street (Highway M-51) at any time. **(ord. no. 21 eff. Feb. 1, 1969)**

### **SECTION 6. LIMITED AND TOLL PARKING AREAS.**

The following streets or portions thereof are hereby designated to be Limited and Toll Parking Areas, to wit; Phelps Street from Sherwood Street to St. Mary's Street, the Southerly side of East and West St. Mary's Street

and the Northerly side of East and West Sherwood Street for a distance of approximately 200 feet more or less, from each side of Phelps Street.

Appropriate signs, lines and parking meters shall be placed in said areas designating the parking limits therein.

All vehicles shall be parked between the parking lines in said areas but no parking of any kind shall be permitted in said areas between and hours of 3:00 a.m. and 6:00 a.m., nor shall any vehicle be parked in said areas for a longer period than two hours between the hours of 9:00 a.m. and 6:00 p.m. of any day except Sundays and holidays.

**NOTICE OF VIOLATIONS:** the Village police officers are hereby authorized and directed to issue parking violation notices in triplicate. The original shall be delivered to the Violator or affixed to the improperly parked vehicle. The duplicate shall be delivered to the Village Clerk and the triplicate copy retained by the Police Officer. Said violation notice shall inform the violator of the violation and that the penalty for same may be paid either in person or by mail to the Village Clerk within 3 days from date thereof. Where violation notices affixed to the vehicle, the proof of registration of said vehicle shall be prima facie proof that the registered owner of said vehicle is the violator. Whenever any person fails or neglects to pay the violation penalty to the Village Clerk within three days, a complaint may be made and warrant issued for said violator by any Justice of the Peace having jurisdiction. **(ord. no. 21 eff. Feb. 1, 1969)**

**SECTION 7.** No driver shall park any vehicle in front of the theater or any driveway to a private home or any filling station. **(Repealed by Ordinance No. 98 effective December 7, 1987)**

**SECTION 8. FUNERAL PROCESSION.**

No vehicle shall be driven through a funeral procession or any other procession except with the permission of the Marshal or any other police officer. **(ord. no. 21 eff. Feb. 1, 1969)**

**SECTION 9. EXCESSIVE NOISE.**

It shall be deemed a violation of this Ordinance for any person in any vehicle to make, with said vehicle or any device connected therewith, any excessive noise to annoy the public, or to open the muffler on any vehicle or to run any vehicle with the muffler cut-out open.**(ord. no. 21 eff. Feb. 1, 1969)**

**SECTION 10. MOTOR TRUCK DEEMED VEHICLE USED FOR COMMERCIAL PURPOSES.**

A motor truck within the meaning of this Ordinance shall be deemed to be any motor vehicle used for commercial purposes or designed to be used for commercial purposes 14 feet or more in length overall, of one ton or more capacity.**(ord. no. 21 eff. Feb. 1, 1969)**

**SECTION 11. TRAILER DEEMED VEHICLE ATTACHED TO MOTOR VEHICLE.**

A trailer within the meaning of this Ordinance shall be deemed to be any vehicle or part of a vehicle attached to a motor vehicle or designed for the purpose of attaching to a motor vehicle.

**SECTION 12. TRAILER PARKING; RESTRICTIONS.**

No truck or trailer as defined in this Ordinance shall be parked or allowed to be parked at any time by the operator thereof on Delaware Street in said Village within 100 feet of the intersection of said Street with Phelps Street nor on Phelps Street between Sherwood and St. Mary's Streets, (except for the purpose of loading and unloading whenever and wherever it is impossible to use the alley for such purposes), nor on south side of Bronson Street between White Oak and Mason Streets nor on the east side of Phelps Street between Beers and Bronson Streets. **(ord. no. 21 eff. Feb. 1, 1969)**

**SECTION 13. TRUCK OR TRAILER; PARKING; HOURS.**

No truck or trailer, as defined in this Ordinance shall be parked or allowed to be parked by the owner or operator thereof on any Village Street or alley between the hours of 3:00 a.m. and 6 a.m. **(ord. no. 21 eff. Feb. 1, 1969)**

**SECTION 14. USE OF M-51; EXCEPTION.**

No truck or trailer, as defined in this Ordinance, when heavily loaded, shall be operated within the Village of Decatur except on Highway M-51, unless the destination of said truck or trailer for the purpose of making a delivery, be a point within the Village limits not located thereon. **(ord. no. 21 eff. Feb. 1, 1969)**

**Section 15. VIOLATIONS AND PENALTIES.**

Any person violating any of the provisions of this Ordinance, upon conviction thereof before a court of competent jurisdiction shall be punished by a fine of not more than \$25.00 and the costs of prosecution, or in default of the payment of such fine and costs shall be confined in the County Jail, (or the jail of the Village of Decatur) for a period not exceeding 30 days, or both such fine and imprisonment, in the discretion of the court. **(ord. no. 21 eff. Feb. 1, 1969)**

**SECTION 16. REPEAL CLAUSE.** All previous Ordinances or parts of Ordinances inconsistent with any of the provisions of this Ordinance are hereby repealed. **(ord. no. 21 eff. Feb. 1, 1969)**