

TITLE VII: TRAFFIC CODE

Chapter

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CHAPTER 70: GENERAL PROVISIONS

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§ 70.01 STATE VEHICLE CODE.

(A) The village re-adopts the State Vehicle Code by reference, as amended by Public Act 61 of 2003.

(B) Any changes or amendments to the State Motor Vehicle Code subsequent to the effective date of this section shall be deemed to be incorporated by reference and made a part hereof as if the charges or amendments were in effect as of the effective date of this section.

(Ord. 01-01, passed 4-11-2001; Ord. 04-02, passed 10-13-2004)

§ 70.02 FIRE ENGINE AND APPARATUS.

(A) It shall be unlawful for any person to park any vehicle on a public street within 15 feet in either direction of the Village Fire Hall.

(B) It shall be unlawful for any person other than the Gaines Township Fire Chief, a member of the Fire Department, a Fire Warden, Village Marshal, a police officer, Village Council member, or peace officer to ride upon any village fire engine or fire apparatus when responding to a fire call or returning from the same, or at any other time without the express permission of the Village of Gaines Fire Chief, Gaines Township Fire Chief, or other person in charge of the village fire engine and apparatus.

(C) It shall be unlawful for the driver of any vehicle other than one on official business to follow any fire engine or fire apparatus traveling in response to a fire call or fire alarm closer than 400 feet,

or to drive into, or park the vehicle within 400 feet, or within one village block in places where village blocks are laid out, from where fire engine or fire apparatus has stopped in answer to a fire call or fire alarm, or within like distance from any burning building.

(D) It shall be unlawful for any person to drive a vehicle over any fire hose of the Village Fire Department or Gaines Township Fire Department.

(E) The Village Fire Department and Gaines Township Fire Department shall have paramount right-of-way on the public streets of the village when going to any fire in response to a fire or fire call either within or without the limits of the village and all traffic shall yield right-of-way to the village fire engine and apparatus, and it shall be unlawful for any person to interfere with or obstruct the movement, progress, and operations of the village fire engine and apparatus and of members of the Fire Department at the time of any fire to which the Village Fire Department or Gaines Township Fire Department has been called.

(F) The Village of Gaines Fire Chief, Gaines Township Fire Chief, or acting Fire Chief shall have all the powers conferred upon him or her by the statutes of the state, and it shall be unlawful for any person to hinder, obstruct, or disobey his or her lawful orders and directions at the time of any fire in the village.

(G) It shall be unlawful for any person to park or cause any vehicle to be parked on any public street in the village across the intersection of any private drive entrance into the street in a manner as obstructs ingress and egress from the private drive to the public street.

(H) It shall be unlawful for any person to double park on the public streets of the village or to park in any manner which prevents ingress or egress of lawfully parked cars.

(I) It shall be unlawful for any person to obstruct any public street in the village in any manner.

(J) It shall be unlawful for any person to park or cause any vehicle to stand or be parked in any area of the public streets, or public grounds of the village, which has been designated by a resolution of the Village Council as a no parking area and which has been marked under the direction of the Council with words "no parking" on the surface of the streets, alleys or grounds or a sign or signs of the area.

(K) In every part of the public streets or public grounds of the village at which the angle or manner of permissible vehicle parking has been prescribed by resolution of the Village Council and the angle or manner of permissible vehicle parking has been marked on the surface of the public street or public grounds or marked on an adjacent sign under the direction of the Council, it shall be unlawful for any person to park or cause to be standing or parked any vehicle across or upon any of the marked parking

lines or not conformity with the marked lines or in disobedience of the adjacent sign; and, where angle parking is designated, no vehicle, excepting trucks while loading or unloading, shall be parked with the rear end nearest the curb or street boundary line.

(L) Every driver of a vehicle shall bring his or her vehicle to a complete stop before entering any public street in the village, which has been designated a stop street by resolution of the Village Council and, at the entrance of which, there has been erected a sign with the work "stop" written thereon, having brought his or her vehicle to a complete stop.

(Ord. 1950-2, passed 6-1-1950; Ord. 2018-05, passed 6-13-2018) Penalty, see § 70.99

§ 70.03 SCHOOL BUS PROVISIONS.

(A) The driver of a vehicle overtaking or meeting any school bus which has stopped and is displaying two alternating flashing red lights located at the same level shall bring the vehicle to a full stop at least ten feet from the school bus and shall not proceed until the school bus resumes motion or the visual signals are no longer actuated. The driver of the school bus, before resuming motion, shall deactivate flashing lights and permit stopped traffic to proceed and shall, when resuming motion, proceed in a manner as to allow congested traffic to disperse by keeping the bus as near to the right of the road as can be done with safety. Passengers crossing the road upon being discharged from a school bus shall cross in front of the stopped school bus. At an intersection where traffic is controlled by an officer or a traffic stop-and-go signal, a vehicle need not be brought to a full stop before passing a stopped school bus, but may proceed past the school bus at a speed not greater than is reasonable and proper and, in no event, greater than ten mph and with due caution for the safety of passengers being received or discharged from the school bus. Signs giving notice of this section shall be posted upon or at the entrances to the village and shall be sufficiently legible as to be seen by an ordinarily observant person.

(B) No school bus driver shall stop his or her bus for the purpose of receiving or discharging passengers unless the bus is clearly visible in its stopped position to approaching or overtaking drivers of vehicles for a distance of at least 500 feet.

(C) The driver of a vehicle upon any highway which has been divided into two roadways by leaving an intervening space, or by a physical barrier, or clearly indicated dividing sections so constructed as to impede vehicular traffic, need not stop upon meeting a school bus which has stopped across the dividing space, barrier, or section.

(D) In any proceeding for a violation of this section, proof that the particular vehicle described in the citation, complaint or warrant was in violation of this section, together with proof that the defendant named in the citation, complaint or warrant was, at the time of the violation, the registered owner of the vehicle, shall constitute in evidence a presumption that the registered owner of the vehicle was the driver of the vehicle at the time of the violation.

(Ord. 113, passed 11-9-1977) Penalty, see § 70.99

§ 70.04 TRUCKS/COMMERCIAL VEHICLES.

(A) *Restrictions on trucks, trailers and commercial vehicles.* When signs are erected in the business district giving notice thereof, no person shall operate or stop, stand or park any truck, trailer or commercial vehicle, as defined herein, upon any of the streets or parts of streets on which the signs have been posted. No commercial vehicle shall be parked on any residential street, right-of-way or property of the village.

(B) *Definitions.* **TRUCKS**, **TRAILERS** and **COMMERCIAL VEHICLES** are defined to include, a fifth wheel, motor home, trailer, travel trailer, delivery truck, commercial delivery truck, boat or any vehicle which presents a safety hazard to traffic or residents.

(C) *Exceptions.* The provisions of division (A) above shall not be construed to prohibit:

(1) The operation of trucks and commercial vehicles upon any street where necessary to the conduct of business at a destination point; provided that, streets upon which truck traffic is permitted are used until the intersection nearest the destination point is reached;

(2) The operation of emergency vehicles upon any street in the village; and/or

(3) The operation of trucks upon any officially established detour in any case where the trucks could lawfully be operated upon the street for which the detour is established.

(Ord. 108A, passed 2-9-2000) Penalty, see § 70.99

§ 70.99 PENALTY.

Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

CHAPTER 71: RECREATIONAL VEHICLES; GAMES

Section

71.01 Snowmobiles and off-road vehicles

71.02 Street games

71.99 Penalty

§ 71.01 SNOWMOBILES AND OFF-ROAD VEHICLES.

Any changes or amendments of the State Snowmobile Act, being M.C.L.A. §§ 324.82101 to 324.82160, or the Off-Road Recreation Vehicles Act, being M.C.L.A. §§ 324.81101 to 324.81150, subsequent to the effective date of this section shall be deemed to be incorporated by reference and made a part hereof as if the changes or amendments were in effect as of the effective date of this section.

(Ord. 02-01, passed 10-9-2002)

§ 71.02 STREET GAMES.

It shall be unlawful for any person or persons to hinder, obstruct or interfere with the flow of traffic on any public roadway within the village by playing basketball, street hockey, baseball or any other sport or by skateboarding and/or rollerblading in or upon the roadways of the village.

(Ord. 04-03, passed 10-13-2004) Penalty, see § 71.99

§ 71.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Any person who shall violate or fail to comply with § 71.02 shall be guilty of a misdemeanor and may be fined up to \$500 and/or receive 90 days in jail, or both.

(Ord. 04-03, passed 10-13-2004)

CHAPTER 72: TRAFFIC SCHEDULES

Schedule

I. Swartz Creek Community Schools

SCHEDULE I. SWARTZ CREEK COMMUNITY SCHOOLS.

(A) *Reckless driving.* Any person who drives any vehicle upon property of the Swartz Creek Community Schools located within the village, including any areas designated for the parking of motor vehicles, in willful or wanton disregard for the safety of persons or property is guilty of reckless driving, which, upon conviction, is punishable as a misdemeanor.

(B) *Careless driving.* Any person who drives any vehicle upon property of the Swartz Creek Community Schools located within the village, including any area designated for the parking of motor vehicles in a careless or negligent manner likely to endanger any person or property, but without wantonness or recklessness.

(C) *Penalties.*

(1) Any person violating the provisions of division (A) above shall, upon conviction, be guilty of a misdemeanor and punished by a fine not more than \$500 or by imprisonment for not more than 90 days, or both.

(2) Violations of the provisions of division (B) above shall be punishable as a civil infraction.
(Ord. 122, passed 12-14-1983)

CHAPTER 73: PARKING SCHEDULES

Schedule

- I. Swartz Creek Community Schools
- II. No parking

SCHEDULE I. SWARTZ CREEK COMMUNITY SCHOOLS.

(A) It shall be unlawful to park any motor vehicle upon property of the Swartz Creek Community Schools located in the village in the following places:

- (1) Any area designated no parking;
- (2) Designated fire lanes;
- (3) Designated handicapped parking areas; and/or
- (4) Designated emergency exits.

(B) Violations of the provisions of division (A) above shall be punishable as civil infraction with a fine of \$250.

(Ord. 122, passed 12-14-1983)

SCHEDULE II. NO PARKING.

(A) It shall be unlawful for any person to stop, stand or park any vehicle upon either side of Genesee Street in the village between Walker Street and Lansing Street during the hours of 2:30 a.m. until 7:00 a.m. from November 1 to April 1 of each year.

(B) In all cases of parking violation under this schedule, either the registered owner or the operator against by complaint and warrant.

(C) Any person, firm or corporation violating any of the provisions of this schedule shall, upon conviction thereof, be sentenced to pay a fine of not exceeding \$25.
(Ord. 66, passed 12-14-1983; Ord. 66, passed 4-11-2018)

