

CHAPTER 9101 - TRAFFIC

1. Code Adopted. The Uniform Traffic Code for Cities, Townships and Villages promulgated by the Commissioner of State Police on February 14, 1958, and published in Supplement No. 18, and on February 14, 1961, published in Supplement No. 25 to the 1954 Michigan Administrative Code in accordance with Public Act 62 of 1956, State of Michigan heretofore adopted by reference by the Village of Elberta, is continued in force as Chapter 9101 of this Code.

2. References in Code. References in the Uniform Traffic Code for Michigan Cities, Townships and Villages to "governmental unit" shall mean the Village of Elberta.

3. Copies to be Available. The Village Clerk having published the ordinance adopting said Uniform Traffic Code in the manner required by law and having published a supplementary notice setting forth the purpose of the said Uniform Traffic Code and of the fact that complete copies of the Code are available at the office of the Clerk for inspection by and distribution to the public at all times, shall maintain copies in accordance with such supplementary notice.

4. Changes in Code. The following sections and sub-sections of the Uniform Traffic Code for Cities, Townships and Villages are hereby amended or deleted as set forth and additional sections and sub-sections are added as indicated. Subsequent section numbers used in this Chapter shall refer to the like numbered sections of the Uniform Traffic Code.

2.59. Section added to read:

2.59. Current Regulations. All intersection stops and yield right of way requirements, regulations on stopping, standing or parking; one-way streets, roadways and alleys; crosswalks; restricted turns; through streets; play streets; angle parking zones; all-night parking restrictions; curb loading zones; public carrier stands; parking meter zones and space; weight restrictions; no passing zones; speed limits and traffic control devices heretofore established and effective on the effective date of this Code, shall be deemed established hereunder and shall remain effective until rescinded or modified as herein provided.

AMENDMENT TO VILLAGE CODE

AN ORDINANCE TO AMEND THE CODE OF THE VILLAGE OF ELBERTA BY
ADDING A NEW SECTION, WHICH NEW SECTION SHALL BE DESIGNATED
AS SECTION 2.59 OF ARTICLE 9/101 OF SAID CODE.

Section 2.59 : Passing School Bus Stopped
to Receive or Discharge Passengers. The driver
of a vehicle shall not overtake or meet and pass
any school bus which has stopped within the
limits of Elberta for the purpose of receiving
or discharging passengers. The driver of a
vehicle overtaking or meeting and passing a
school bus which has stopped for the purpose
of receiving or discharging its passengers shall
bring such vehicle to a full stop at least 10
feet from the school bus and shall not proceed
until the school bus resumes motion or the
school bus driver signals to proceed or the
visual signals are no longer actuated.

Page 2, Regular Meeting of the Elberta Village Council on October 18, 1979.

Motion by Bower supported by Soderquist that the following be adopted:
Resolved that the Village of Elberta adopt the Michigan Motor Vehicle Code for townships and villages in accordance with Public Act No. 514, House bill 512, and any local ordinance regulating the parking and/or use of a motor vehicle shall be in accordance with the same. 6 ayes. No nays. Motion carried.

(According to Police Chief Walter Peltier, the above is a follow up on a State law already in effect. The above changes most traffic violations from a criminal misdemeanor to a civil infraction, but does not change the fine or point system. The only major change that takes effect is that there is no jury trial available on a civil infraction).

Motion by Soderquist supported by Bower that the meeting be adjourned.

J. H. Penfold
J. H. Penfold, Village Clerk.

OMNICEF

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NOTICE

On October 18, 1979, the Elberta Village Council passed a resolution to adopt the Michigan Motor Vehicle Code for townships and villages in accordance with Public Act No. 514, House bill 512, and any local ordinance regulating the parking and/or use of a motor vehicle shall be in accordance with the same.

(the above changes most traffic violations from a criminal misdemeanor to a civil infraction.)

J. H. Penfold,
Village Clerk

10/24

Sharyn Bower

From: "Jill Bennett" <BennettJ14@michigan.gov>
To: <bower@villageofelberta.org>
Sent: Tuesday, June 15, 2010 3:56 PM
Subject: Re: Prohibited Parking

Good afternoon Sharon,

Here is the link to the Michigan Vehicle Code section prohibited parking:

[http://www.legislature.mi.gov/\(S\(0ub0lh3eessjch55hcf34i55\)\)/mileg.aspx?page=getObject&objectName=mcl-257-674](http://www.legislature.mi.gov/(S(0ub0lh3eessjch55hcf34i55))/mileg.aspx?page=getObject&objectName=mcl-257-674)

Section (n) covers this issue.

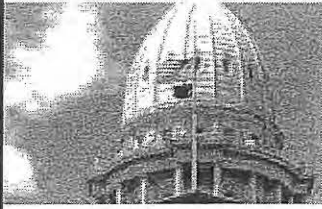
Please make sure the signs are "official" signs as dictated by the Michigan Manual on Uniform Traffic Control Devices.

Please let me know if you need anything else.

Thank you,

Sgt. Jill M. Bennett
Michigan State Police
Traffic Safety Division
Traffic Services Section
333 S. Grand Avenue
Lansing, MI 48933
TX: 517-241-0576
Fax: 517-241-0501
bennettj14@michigan.gov

6/15/2010



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Navigation

- ← Documents →
- MCL Chapter Index
- Chapter 257
- Act 300 of 1949
- 300-1949-VI
- 300-1949-VI-STOPPING-STANDING-AND-PARKING
- Section 257.674

Section 257.674

✎ linkable ✎ printable

**MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949**

257.674 Prohibited parking; exceptions; bus loading zone; violation as civil infraction.

Sec. 674.

(1) A vehicle shall not be parked, except if necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic-control device, in any of the following places:

- (a) On a sidewalk.
- (b) In front of a public or private driveway.
- (c) Within an intersection.
- (d) Within 15 feet of a fire hydrant.
- (e) On a crosswalk.
- (f) Within 20 feet of a crosswalk, or if there is

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- Calendars
- Committee Bill
- Records
- Committee Meetings
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- Initiatives
- Joint Resolutions
- Journals
- Legislators

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(Signed Bills)
Resolutions
Session
Schedules
Basic Legislative
Search
Adv Legislative
Search

Laws


Often Req Laws
Req Repealed
Acts
Basic MCL
Search
Advanced MCL
Search
Public Act MCL
Search
Michigan
Constitution
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Executive
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mcl 257 674

not a crosswalk, then within 15 feet of the intersection of property lines at an intersection of highways.

(g) Within 30 feet of the approach to a flashing beacon, stop sign, or traffic-control signal located at the side of a highway.

(h) Between a safety zone and the adjacent curb or within 30 feet of a point on the curb immediately opposite the end of a safety zone, unless a different length is indicated by an official sign or marking.

(i) Within 50 feet of the nearest rail of a railroad crossing.

(j) Within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within 75 feet of the entrance if properly marked by an official sign.

(k) Alongside or opposite a street excavation or obstruction, if the stopping, standing, or parking would obstruct traffic.

(l) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.

(m) Upon a bridge or other elevated highway structure or within a highway tunnel.

(n) At a place where an official sign prohibits stopping or parking.

(o) Within 500 feet of an accident at which a police officer is in attendance, if the scene of the accident is outside of a city or village.

(p) In front of a theater.

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 mcl 257 674
 mcl 300 1949 VI
 STOPPING
 STANDING AND
 PARKING
 mcl 300 1949 VI
 mcl Act 300 of
 1949

(q) In a place or in a manner that blocks immediate egress from an emergency exit conspicuously marked as an emergency exit of a building.

(r) In a place or in a manner that blocks or hampers the immediate use of an immediate egress from a fire escape conspicuously marked as a fire escape providing an emergency means of egress from a building.

(s) In a parking space clearly identified by an official sign as being reserved for use by disabled persons that is on public property or private property available for public use, unless the individual is a disabled person as described in section 19a or unless the individual is parking the vehicle for the benefit of a disabled person. In order for the vehicle to be parked in the parking space the vehicle shall display 1 of the following:

(i) A certificate of identification or windshield placard issued under section 675 to a disabled person.

(ii) A special registration plate issued under section 803d to a disabled person.

(iii) A similar certificate of identification or windshield placard issued by another state to a disabled person.

(iv) A similar special registration plate issued by another state to a disabled person.

(v) A special registration plate to which a tab for persons with disabilities is attached issued under this act.

(t) In a clearly identified access aisle or access

lane immediately adjacent to a space designated for parking by persons with disabilities.

(u) On a street or other area open to the parking of vehicles that results in the vehicle interfering with the use of a curb-cut or ramp by persons with disabilities.

(v) Within 500 feet of a fire at which fire apparatus is in attendance, if the scene of the fire is outside a city or village. However, volunteer fire fighters responding to the fire may park within 500 feet of the fire in a manner not to interfere with fire apparatus at the scene. A vehicle parked legally previous to the fire is exempt from this subdivision.

(w) In violation of an official sign restricting the period of time for or manner of parking.

(x) In a space controlled or regulated by a meter on a public highway or in a publicly owned parking area or structure, if the allowable time for parking indicated on the meter has expired, unless the vehicle properly displays 1 or more of the items listed in section 675(8).

(y) On a street or highway in such a way as to obstruct the delivery of mail to a rural mailbox by a carrier of the United States postal service.

(z) In a place or in a manner that blocks the use of an alley.

(aa) In a place or in a manner that blocks access to a space clearly designated as a fire lane.

(2) A person shall not move a vehicle not owned by the person into a prohibited area or away from a curb a distance that makes the parking unlawful.

(3) A bus, for the purpose of taking on or discharging passengers, may be stopped at a place described in subsection (1)(b), (d), or (f) or on the roadway side of a vehicle illegally parked in a legally designated bus loading zone. A bus, for the purpose of taking on or discharging a passenger, may be stopped at a place described in subsection (1)(n) if the place is posted by an appropriate bus stop sign, except that a bus shall not stop at such a place if the stopping is specifically prohibited by the responsible local authority, the state transportation department, or the director of the department of state police.

(4) A person who violates this section is responsible for a civil infraction.

History: 1949, Act 300, Eff. Sept. 23, 1949 ; - Am. 1977, Act 19, Eff. Oct. 1, 1977 ;-- Am. 1978, Act 510, Eff. Aug. 1, 1979 ;-- Am. 1978, Act 546, Imd. Eff. Dec. 22, 1978 ;-- Am. 1979, Act 66, Eff. Aug. 1, 1979 ;-- Am. 1980, Act 518, Eff. Mar. 31, 1981 ;-- Am. 1985, Act 69, Imd. Eff. July 1, 1985 ;-- Am. 1986, Act 69, Eff. Mar. 31, 1987 ;-- Am. 1986, Act 222, Eff. Oct. 1, 1986 ;-- Am. 1988, Act 150, Eff. Nov. 11, 1988 ;-- Am. 1994, Act 104, Eff. Oct. 1, 1994 ;-- Am. 1998, Act 68, Imd. Eff. May 4, 1998 ;-- Am. 2000, Act 76, Eff. Oct. 1, 2000 ;-- Am. 2000, Act 268, Eff. Oct. 1, 2000

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CONTINUATION-14

ORV Rules Updated

Beginning last Jan. 4, 1990, use of off-road vehicles (ORV) on state-owned lands is restricted to roads and designated and marked trails. ORVs can no longer be used on unmarked, visible trails.

Amendments to the state ORV law last spring include a new operator age restriction (at least 16 years of age), new safety requirements, and a new noise emissions testing procedure. For details, contact **Bob Tyler**, Department of Natural Resources (DNR) Forest Management Division, 517-373-1275.

Effective April 1, 1991, the DNR will license ORVs annually. The Department of State will require titles for all ORVs.

The DNR has designated and marked 1,525 miles of trails and two use areas for ORVs. Of these, 501 miles of trails are in the Upper Peninsula and 1,024 miles are in the northern half of the Lower Peninsula. The use areas are also located in the latter region — at Silver Lake State Park, a 200-acre scramble area managed by DNR Parks Division, and the St. Helen's Motorsport Area, a 1,240-acre cross-country use area just east of St. Helen managed by the Forest Management Division.