

ORDINANCE CERTIFICATION

At a regular meeting of the Boyne Falls Village Council, Charlevoix County, held in the Boyne Falls Village Hall, located at 2290 Railroad Street, Boyne Falls, Michigan, on Oct. 14, 1997, at 7:00 P.M.

PRESENT: William Bricker, William Cousineau, Debra Taylor, & Chris William

ABSENT: April Kenney and Paul Zerbel

It as moved by William Bricker and supported by Debra Taylor that the following Ordinance be adopted.

(See attached VILLAGE OF BOYNE FALLS ORDINANCE NO. 44)

YES: 4

NO: 0

ORDINANCE DECLARED ADOPTED.

VILLAGE OF BOYNE FALLS

By: Blake Kenney
Blake Kenney, President

I, the undersigned, the Clerk of the Village of Boyne Falls, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Boyne Falls Village Council of said County at its regular meeting held on Oct. 14, 1997, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; this ordinance was published in the Petoskey News Review on Oct. 28, 1997.

Dated: October 14, 1997

Marilyn Cousineau
Marilyn Cousineau, Clerk

Note: The Ordinance and this Ordinance Certification should be placed in the Village Ordinance Book.

VILLAGE OF BOYNE FALLS PARKING ORDINANCE
Ordinance No. 44

THE VILLAGE OF BOYNE FALLS ORDAINS:

Section 1. Parking Regulations.

In addition to the parking provisions of the Uniform Traffic Code, no motor vehicle shall be parked on any street or alley in the Village and in parking lots under the jurisdiction of the Village between 3:00 a.m. and 7:00 a.m.

Section 2. Evidentiary Presumption Relating to Parking Violators.

In any proceeding for a violation of this Ordinance, proof that the particular motor vehicle described in the complaint was parked in violation of this Ordinance, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner of such vehicle was the person who parked or placed such vehicle in violation of this Ordinance.

Section 3. Notice of Parking Regulations.

The Village Department of Public Works shall erect signs on all streets and highways at the Village limits approximately three (3) feet by four (4) feet sufficiently legible as to be seen by an ordinarily observant person giving notice of the parking regulations contained in this Ordinance.

Section 4. Penalty/Civil Infraction

Any person who shall violate any provision of this Ordinance shall be responsible for a civil infraction and shall be subject to a fine as determined by resolution of the Village Council. Such fine may be paid at the Village Hall or by enclosing the amount of the fine in the parking ticket envelope affixed to the vehicle and depositing the envelope in the United States mail with proper postage prepaid. Upon receipt of the fine money, it shall be turned over to the Village Treasurer to be credited to the Village general fund.

Section 5. Impounding of Motor Vehicles.

In addition to the penalties contained in Section 4 above, any motor vehicle parked in violation of this Ordinance may be impounded by the Village Marshall or any other police officer and removed from the street or alley where illegally parked. After the Village Marshall or other police officer impounds a motor vehicle parked in violation of this Ordinance, he or she shall follow the procedures contained in Section 2.5d of the Village of Boyne Falls Supplemental Traffic Ordinance relating to the impoundment of motor vehicles.

Section 6. Severability

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance shall be invalid, such invalidity shall not effect any remaining portion or application of this Ordinance which can be given effect without the invalid portion or application.

Section 7. Effective Date.

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Village.

VILLAGE OF BOYNE FALLS

By: *Blake Kenney*
Blake Kenney, President

By: *Marilyn Cousineau*
Marilyn Cousineau, Clerk