

Charter Township of Union
Lincoln Road Bridge Parking Permit Ordinance
Ordinance No. 2012-03

An Ordinance enacted pursuant to MCL 42.15, MCL 42.16 and MCL 41.181 to allow parking by permit only along Lincoln Road and along dead end streets connecting with Lincoln Road, within 200 feet of the center line of Lincoln Road, between Remus and Broomfield Roads.

THE CHARTER TOWNSHIP OF UNION, ISABELLA COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1: Title. This Ordinance shall be known and may be cited as the “Lincoln Road Bridge Parking Permit Ordinance”.

Section 2: Parking by Permit. Parking by permit in an approved parking space only shall be allowed along Lincoln Road and along the dead end streets connecting with Lincoln Road, within 200 feet of the center line of Lincoln Road, between Remus and Broomfield Roads, provided that a property owner applies for such permit from the township zoning official, constructs an approved parking space within the owner’s property based on AASHTO’s ‘A Policy On Geometric Design of Highways and Streets’ (current edition), and obtains all permits or clearances for such parking space required from:

- a. Isabella County Road Commission;
- b. Isabella County Drain Commissioner (Soil Erosion and Sedimentation Control);
- c. Michigan Department of Environmental Quality (flood plain fill and wetland impacts);
- d. Other regulatory agency with jurisdiction at the proposed location.

The township zoning official may revoke any permit granted hereunder due to lack of maintenance, erosion, or other safety concerns, until such time as the permitted parking space is properly maintained and brought back to its original approved condition.

Section 3: Violations and Fines. A violation of this ordinance shall be subject to a fine of \$75.00. Each day a violation continues is a separate violation.

Section 4: Severability. If a court of competent jurisdiction declares any provision of this Ordinance invalid, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision; provided that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

Section 5: Repeal of Conflicting Provisions and Effective Date. This ordinance shall take effect upon publication as required by law. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed; provided that any violation charged before the effective date of this ordinance under an ordinance provision repealed by this ordinance shall continue under the ordinance provision then in effect.

Section 6: Conditions Subsequent. This ordinance shall no longer be in effect if Lincoln Road is widened to four lanes between Remus and Broomfield Roads, or if the existing bridge within that area is replaced at any point in the future. If roadway widening or bridge replacement does occur, no reimbursement for costs incurred to construct a parking space, to obtain permits, or to otherwise comply with this ordinance will be reimbursed to the applicant.

ADOPTED BY THE TOWNSHIP BOARD:

John Barker
Charter Township of Union Supervisor

STATE OF MICHIGAN)
) ss
COUNTY OF ISABELLA)

I, the undersigned, the duly qualified and acting Clerk of Union Charter Township, Isabella County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of an ordinance adopted at a regular meeting of the Township Board on the ___ day of _____, 2012, and that such ordinance was duly published in the Morning Sun on the ___ day of _____, 2012.

Peter Gallinat
Charter Township of Union Clerk