

FERRIS STATE UNIVERSITY
TRAFFIC, PARKING AND PEDESTRIAN
ORDINANCE

As adopted by the Board of Trustees effective
June 1, 2010

FERRIS STATE UNIVERSITY TRAFFIC ORDINANCE

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SECTION

1.0 STATEMENT OF PURPOSE

The Ferris State University Board of Trustees, Big Rapids, Michigan, being its statutory and constitutional board of control, find that the ordinance for the government and control of parking, traffic and pedestrians on its property is essential to the orderly operation of the University. It is the intent of the Ferris State University Board of Trustees to hereby establish a traffic, parking and pedestrian ordinance for the protection of health and property on the campus of Ferris State University for students, faculty, staff and visitors.

2.0 STATEMENT OF AUTHORITY

This ordinance is enacted by the Ferris State University Board of Trustees pursuant to and in accordance with the authority and responsibility of said Board as provided in the Constitution of the State of Michigan, Act 114 of the Michigan Public Acts of 1949, as amended, Act 291 of the Public Acts of the State of Michigan of 1967, as amended, Act 48 of the Public Acts of the State of Michigan of 1963 (2d Extra Session), as amended, Act 515 of the Michigan Public Acts of 1978 and Act 120 of the Michigan Public Acts of 1990.

3.0 WORDS AND PHRASES DEFINED

3.1 As used in this ordinance:

- (a) "Act" means the Michigan vehicle code, 1949 PA 300, MCL 257.1 et seq.
- (b) "Alley" means a minor thoroughfare, opened to public use, for the purpose of ingress and egress to service adjacent buildings.
- (c) "Bicycle lane" means a portion of a street or highway that is adjacent to the roadway and that is established for the use of persons riding bicycles.
- (d) "Bicycle path" means a portion of a street or highway that is separated from the roadway by an open, unpaved space or by a barrier and that is established for the use of persons riding bicycles.
- (e) "Bus stand" or "bus stop" means a fixed area in the roadway, parallel and adjacent to the curb, to be occupied exclusively by buses for layover in operating schedules or by buses waiting for, loading, or unloading passengers.
- (f) "Chief of Police" is also known as the Director of Public Safety.
- (g) "Clerk" means the Vice President for Administration and Finance who keeps the records and performs the regular business of Ferris State University.
- (h) "Curb loading zone" means a space that is adjacent to a curb and that is reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.
- (i) "Department of Public Safety" means that division of Ferris State University heretofore designated and known as the Department of Public Safety and which is charged with the keeping of the safety and security of students, faculty, staff and all persons on the campus of Ferris State University and the property of such persons and of Ferris State University.
- (j) "Director of Public Safety" means the department head of the Department of Public Safety and is also known as the Chief of Police.
- (k) "Freight curb loading zone" means a space that is adjacent to a curb and that is provided for the exclusive use of vehicles during the loading or unloading of freight.
- (l) "Governmental unit" or "municipality" means Ferris State University, Big Rapids, Michigan.
- (m) "Official time standard" means the hours named in this ordinance are hours of standard time or daylight-saving time, whichever is in current use in this governmental unit.
- (n) "Parking meter zone" means an area that is adjacent to a parking meter and that is set aside for the exclusive use of vehicles upon the deposit of a coin of United States currency in the parking meter as specified on the meter.
- (o) "Parking space" means a marked space with lines to allow for vehicles to be parked along roadways or in parking lots.
- (p) "Passenger curb loading zone" means a place that is adjacent to a curb and that is reserved for the exclusive use of

vehicles during the loading or unloading of passengers.

- (q) "Police Department" means the Department of Public Safety.
- (r) "Stand" or "standing" means the halting of a vehicle, other than for the purpose of, and while actually engaged in, receiving or discharging passengers.
- (s) "Stop," when required, means the complete cessation of movement.
- (t) "Stop" or "stopping," when prohibited, means the halting, even momentarily, of a vehicle, whether occupied or not. The terms do not apply to the halting of a vehicle that is necessary to avoid conflict with other traffic or that is in compliance with the directions of a police officer or traffic-control sign or signal.
- (u) "Taxicab" means a licensed public motor vehicle for hire that is designated and constructed to seat not more than 10 persons and that is operated as a common carrier on call or demand.
- (v) "Taxicab stand" means a fixed area in the roadway that is set aside for taxicabs to stand or wait for passengers.
- (w) "Tow-away zone" means a zone where parking, stopping, or standing is not permitted, as indicated by proper signs, and where vehicles parked in violation of the signs are towed away to keep the roadway clear for traffic movement.
- (x) "U-turn" means a turn made on a roadway or in an intersection by a vehicle for the purpose of reversing its direction of travel.

3.2 Other words or phrases

If any word or phrase used in this ordinance is not defined in this ordinance, but is defined in the Act, PA 300, MCL 257.1 to 257.923, then the definition in the Act shall apply to the words and phrases used in this ordinance.

4.0 TRAFFIC ADMINISTRATION AND AUTHORITY

4.1 Director duties

It shall be the duty of the Director of the Police Department, or his authorized representatives where so authorized by the Vice President for Administration and Finance, to establish and enforce restrictions upon access to or use of the University parking lots, streets, or other property of the University or portions thereof as may be deemed necessary or desirable for the effective conduct of the affairs and operations of the University.

4.2 Powers and duties of the Vice President for Administration and Finance

The Vice President for Administration and Finance shall exercise the powers and duties provided in this ordinance in the manner consistent with prevailing traffic safety practices and in the best interest of Ferris State University. The Vice President for Administration and Finance shall have the authority to delegate to the Director of the Police Department and/or the Associate Vice President for Physical Plant the responsibility for determining and installing proper timing and maintenance of traffic control devices; to plan and direct the operations of traffic on streets within the boundaries of Ferris State University; to establish parking areas therein, designation limitations and uses thereof; to certify as to the installation of such devices and signals by posting the same in the headquarters of the department of public safety or such other public places as may be deemed appropriate within the campus and accessible to the public; to establish and erect stop signs, standing or parking or stopping regulations and speed restrictions; to establish one-way streets, alleys, crosswalks, safety zones and traffic lanes and such other markings, restrictions and street designations as may be deemed necessary for the public interest and for the protection of vehicles and pedestrians.

4.3 Police department; traffic duties

It is the duty of the Chief of Police and the officers of the police department to enforce the street traffic regulations of Ferris State University and all state vehicle laws that are applicable to street traffic at Ferris State University, including making arrests for certain traffic violations, issuing citations for civil infractions, investigating accidents, cooperating with the traffic engineer and other officials of Ferris State University in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and carrying out those duties specially imposed by this ordinance and other traffic ordinances of Ferris State University.

4.4 Authority of police directing traffic

Officers of the police department or those officers that are assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws. However, in case of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police department may direct traffic as conditions require, notwithstanding the provisions of the traffic laws.

4.5 Authority of firemen directing traffic

Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic at the scene of the fire or in the immediate vicinity.

4.6 Authority to impound vehicles

Officers of the police department are hereby authorized to remove a vehicle from a street, highway, parking area or other place whether public or private, to the nearest garage or other place of safety, or to a garage designated or maintained by the police department, or otherwise maintained by the University, under the following circumstances:

- (a) When a vehicle is found being driven on the streets or highways in an unsafe condition that endangers persons or property.
- (b) When the driver of the vehicle is taken into custody by the police department and the vehicle would thereby be left unattended on the street.
- (c) When any vehicle is left unattended upon a street or parking area and is so parked as to constitute a definite hazard or obstruction to the normal movement of traffic.
- (d) When a vehicle is found being driven upon the street or area open to parking and is not in proper condition to be driven.
- (e) When a vehicle has remained on public or private property for a period of 48 hours after written notice has been affixed as provided in Section 252a of the Motor Vehicle Code (MCL 257.252a) is an "abandoned" vehicle.
- (f) When removal is necessary in the interest of public safety because of fire, flood, storm, snow or other emergency reason.
- (g) When a vehicle is found parked in a "tow away zone" in which a sign is properly posted.
- (h) When a vehicle is parked in authorized places or lots or other parking facilities for a period of time that exceeds the permissible parking times.
- (i) When any vehicle is found in violation and where it is determined that there are six or more outstanding violation citations against the same vehicle.
- (j) When any vehicle is found parked in an area specifically reserved for vehicles bearing a certain type of University permit and does not bear such permit, or in a parking space specially reserved and designated for the exclusive use of one vehicle.
- (k) When any vehicle is found parked so as to obstruct University operations or is parked on lawns or in shrubbery.
- (l) When any vehicle is left unattended in any parking area or elsewhere on the University campus under such circumstances as to be presumed to be abandoned.
- (m) When found parked in a location that is not marked as a parking space.
- (n) When notice of a parking lot closure has been posted by the Ferris State University Grounds Department for the previous 48 hours for the purpose of snow removal.
- (o) When the University closes a parking lot for a special event after 48 hours notice has been given.

4.7 Immobilizing a vehicle

Members of the police department are hereby authorized to place a wheel lock (immobilizer) on vehicles parked on a street, highway or parking lot maintained by the University under the following circumstances:

- (a) When any vehicle is found in violation and where it is determined that there are six or more outstanding violation notices against the same Ferris State University registered owner or State of Michigan registered owner.
- (b) When a vehicle is found parked in a properly sign posted "no parking" area.

4.8 Notifying Secretary of State of impounded vehicles

Whenever an officer removes a vehicle from a street as authorized in this ordinance, and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as herein provided, the officer shall within 24 hours after taking the vehicle into custody, enter the vehicle as abandoned into the law enforcement information network. Disposition of an abandoned vehicle shall be made as provided by the State of Michigan Motor Vehicle Code Section 257.252.

4.9 Citation of illegally parked vehicle

When any motor vehicle is found parked or stopped in violation of any of the restrictions imposed by this ordinance, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its owner and/or operator and shall conspicuously affix to such vehicle a parking violation notice.

4.10 Release of impounded vehicle

In the case of impounding a vehicle under this ordinance, the police department is empowered to restore the same to the owner thereof or his agent upon the payment of all charges outstanding against the same including unsettled citations in the amounts then prevailing and charges for towing and storage. If said owner claims not to be responsible and states that said citations are not true and he wishes to have the matter taken to court, said person may post a cash bond in the amount of twice such applicable fees. This cash bond will be retained by the police department pending final adjudication of the case. If the outcome of final adjudication of the case upholds the violation(s), the amount refunded will be the amount of the bond less the applicable fees. If the outcome of final adjudication of the case does not uphold the violation(s), the amount refunded will be the entire amount of the bond. If a motor vehicle is taken into custody under Section 4.6(f), the provisions of Section 252a of the Michigan Vehicle Code (MCL257.252a), which is incorporated herein by reference, shall apply.

4.11 Release of immobilized vehicle

In the case of immobilizing a vehicle under this ordinance, the police department is empowered to restore the same to the owner thereof or his agent upon payment of all charges outstanding against the same including unsettled citations in the amounts then prevailing and charges for wheel lock release. If said owner claims not to be responsible and states that said citations are not true and he wishes to have the matter taken to court, said person may post a cash bond in the amount of twice such applicable fees. This cash bond will be retained by the police department pending final adjudication of the case. If the outcome of final adjudication of the case upholds the violation(s), the amount refunded will be the amount of the bond less the applicable fees. If the outcome of final adjudication of the case does not uphold the violation(s), the amount refunded will be the entire amount of the bond.

4.12 Records of traffic violations; warrants

The Chief of Police shall maintain, or cause to be maintained, a record of all warrants that are issued on traffic violation charges and that are delivered to the police department for service. The Chief of Police shall also maintain, or cause to be maintained, a record of the disposition of all these warrants.

4.13 Traffic accident studies

If the accidents at any particular location become numerous, the police department shall cooperate with the traffic engineer in conducting studies of the accidents and shall determine remedial measures.

4.14 Drivers' files

The police department shall maintain a suitable record of all traffic accidents, citations, arrests, dispositions, and complaints that are reported for each driver. The reported items shall be maintained in a manner that allows for retrieval by the name of the driver concerned. The records shall be maintained for not less than the most recent eight year period.

4.15 Authority to revoke or deny parking privileges

The University reserves the right to deny or revoke the parking privileges of anyone:

- (a) Found guilty of forging, stealing or counterfeiting parking permits.
- (b) Who has received more than three parking violation notices in a three consecutive month period.
- (c) Who has outstanding violation notices when requesting a new parking permit because of the expiration of the old parking permit.
- (d) Whose operator's license has been revoked, suspended or denied.

4.16 Temporary parking lot closing or re-assignment

The University reserves the right to temporarily close parking lots or change parking permit lot assignments for special events or emergencies.

4.17 Traffic engineer

The office of traffic engineer is hereby established. The traffic engineer shall be appointed in a manner prescribed by the Vice President of Administration and Finance for Ferris State University and shall exercise the powers and duties provided in this ordinance in a manner that is consistent with prevailing traffic engineering and safety practices and that is in the best interests of this University. If a traffic engineer is not appointed, then the authority of the engineer shall be vested in the Director of Public Safety.

4.18 Duties of traffic engineer

The general duties of the traffic engineer are as follows:

- (a) To plan and determine the installation and proper timing and maintenance of traffic-control devices.
- (b) To conduct engineering analysis of traffic accidents and to devise remedial measures.
- (c) To conduct engineering investigations of traffic conditions.
- (d) To plan the operation of traffic on the streets of this University, including parking areas.

- (e) To cooperate with other officials of this University in the development of ways and means to improve traffic conditions.
- (f) To carry out the additional powers and duties imposed by the act and ordinances of this University.
- (g) To otherwise regulate the movement and parking of vehicles within the University consistent with the act.

All duties carried out by the traffic engineer shall be in accordance with standard and accepted engineering practices as found in the Traffic Engineering Handbook, Fifth Edition, which is adopted by reference in these rules.

4.19 Emergency regulations

The Chief of Police, with the approval of the University president or his/her designee, is hereby empowered to make and enforce temporary regulations to cover emergencies or special conditions. Temporary regulations shall remain in effect for not more than 90 days.

4.20 Testing traffic control devices

The traffic engineer may test or experiment with traffic-control devices under actual conditions of traffic in accordance with procedures contained in the Michigan manual of uniform traffic-control devices.

4.21 Curb loading zones

The traffic engineer is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs that indicate the zones and that state the hours during which the zones are restricted for loading purposes.

4.22 Public carrier stands

The traffic engineer is hereby authorized to establish bus stops, bus stands, taxicab stands, and stands for other passenger common-carrier motor vehicles on public streets, in places, and in number as he or she shall determine to be of the greatest benefit and convenience to the public. Every bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs, which the traffic engineer shall cause to be erected.

4.23 Parking meter zones

The traffic engineer is hereby authorized to determine and designate metered parking zones and to install and maintain as many parking meters as necessary in the metered parking zones, if it is determined that the installation of parking meters is necessary to aid in the regulation, control, and inspection of the parking of vehicles.

4.24 Angle parking zones

The traffic engineer shall determine the location of angle parking zones and shall erect and maintain appropriate signs that indicate the location and that give notice thereof.

4.25 Authority to sign one way streets and alleys

Where any one way street or alley is duly established, the traffic engineer shall place and maintain signs that give notice of the one way street or alley and the regulation shall not be effective unless the signs are in place. Signs that indicate the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

4.26 Authority to restrict direction of movement on streets during certain periods

The traffic engineer is hereby authorized to determine and designate streets, parts of streets, or specific lanes of streets on which vehicular traffic shall proceed in one direction during one period of the day and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers, or other devices to give notice thereof. The traffic engineer may erect signs that temporarily designate lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

4.27 Prohibiting certain traffic

The traffic engineer may, after an engineering and traffic investigation, designate any heavily traveled street within the University as prohibited to a class or kind of traffic found to be incompatible with the normal and safe movement of traffic. The traffic engineer shall erect appropriate traffic-control devices that give notice of the determination.

4.28 Traffic-control orders

(1) The authority in the Act and this ordinance to regulate traffic shall be exercised by the traffic engineer by the issuance of traffic-control orders that shall specify the rules and regulations adopted or established by him or her. The traffic-control orders shall become effective upon being filed with the Vice President for Administration and Finance and upon erection of adequate signs or signals that give notice of the existence of the regulation, if signs or signals are required by the provisions of this code that pertain to the regulation.

(2) Traffic-control orders may be issued by the traffic engineer on his or her own authority, but when so issued shall be known as temporary traffic-control orders and shall not be effective after the expiration of 90 days from the date of filing and these temporary traffic-control orders shall not be renewed or extended, except upon approval by the ordinance making body.

(3) Permanent traffic-control orders shall be issued by the traffic engineer, approved by the University, and filed with the Vice President for Administration and Finance.

(4) Temporary orders shall become permanent orders upon being approved by the Vice President for Administration and Finance and filed in the traffic control order book.

(5) All traffic-control orders and any actions that modify or repeal the orders shall be kept by the Vice President for Administration and Finance in a separate book that shall be known as the traffic-control order book.

(6) A copy of a traffic-control order, certified by the Vice President for Administration and Finance to be a true copy compared by him or her with the original in his or her office, shall be permitted into evidence in all courts and proceedings in the same manner as the original would be permitted into evidence if produced. If it appears that a traffic-control sign, signal, or device that conforms to the provisions of this ordinance was erected or in place when the alleged violation of this code occurred, it shall be prima facie evidence of the existence of a lawful traffic-control order that authorizes the traffic control, sign, signal, or device, and it is not necessary for the prosecution to affirmatively show the existence of a valid traffic-control order in these cases, unless and until the presumption is rebutted by competent evidence.

(7) All traffic control orders issued by the traffic engineer, whether temporary or permanent, shall be in accordance with standard and accepted engineering practices as adopted in R 28.1126.

4.29 Issuance and record of traffic citation books

The Chief of Police shall be responsible for the issuance of traffic citation books and shall maintain a record of each book. Traffic citation forms in serially numbered sets that notify alleged violators to appear and answer to charges of violating traffic laws and ordinances shall be in books and in a form as provided in sections 727b and 727c of the Act.

5.0 OBEDIENCE TO TRAFFIC REGULATIONS

5.1 Required obedience to traffic ordinance; violation as civil infraction

It is a violation of this ordinance for any person to do any act that is forbidden, or to fail to perform any act that is required herein. Police officers and University grounds department vehicles may drive on sidewalks and park irrespective of this ordinance, if required in the performance of their job duties. Unless otherwise specified, violation of any rule of this ordinance is a civil infraction.

5.2 Obedience to police and fire department officials; violation as misdemeanor

A person shall not willfully fail or refuse to comply with any lawful order or direction of any police officer or member of the fire department, at the scene of or in the immediate vicinity of a fire, who is vested with authority under the act or this ordinance to direct, control, or regulate traffic. A person who violates this rule is guilty of a misdemeanor.

5.3 Persons propelling push carts or riding animals subject to traffic regulations; violation as misdemeanor

Persons who propel any push cart or who ride an animal upon a roadway and persons who drive any animal-drawn vehicle are subject to the provisions of this ordinance that are applicable to the driver of any vehicle, except for the provisions of this ordinance that by their very nature can have no application. A person who violates this rule is guilty of a misdemeanor.

5.4 Use of coasters, roller skates, and similar devices restricted; violation as civil infraction

- (a) The use of any skateboard, rollerblades, roller skates, coaster, scooter or similar wheeled device is prohibited on any sidewalk, public parking area, roadway, alley, street or other area open to the general public.
- (b) No person shall use any skateboard, rollerblades, roller skates, coaster, scooter or similar wheeled device on any bench, table, planter, wall, railing or other fixture located in or along any public roadway, street, alley, sidewalk, parking lot or other area open to the general public.
- (c) No person shall use any vehicle, motorcycle, moped or bicycle to tow another person on any skateboard, rollerblades, roller skates, coaster, scooter or similar wheeled device.
- (d) Skateboards, rollerblades, roller skates, coasters, scooters or similar wheeled devices may only be used in a designated area so designated by signs.
- (e) This ordinance does not regulate the use of wheelchairs or similar devices designated to transport or assist handicapped persons.
- (f) A person who violates this rule is responsible for a civil infraction.

5.5 Ordinance provisions; exclusive applicability to operation of vehicles on streets, except where otherwise referred to

The provisions of this ordinance that relate to the operation of vehicles refer exclusively to the operation of vehicles on streets or highways, except where a different place is specifically referred to in a rule of this ordinance.

6.0 TRAFFIC-CONTROL DEVICES

6.1 Obedience to official traffic-control devices; violation as civil infraction

The driver of any vehicle shall obey the instructions of any official traffic-control device that is placed in accordance with a traffic control order or a traffic ordinance of the University unless otherwise directed by a police officer. A person who violates this rule is responsible for a civil infraction.

6.2 Provisions of ordinance that require signs; enforceability

Provisions of this ordinance that require signs shall not be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign was not in proper position and was not sufficiently legible so as to be seen by an ordinarily observant person. When a particular rule does not state that signs are required, the rule shall be effective even though signs are not erected or in place.

6.3 Crosswalks

The traffic engineer is hereby authorized to designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where, in his or her opinion, there is particular danger to pedestrians crossing the roadway and at other places as he or she may deem necessary.

6.4 Safety zones

The traffic engineer is hereby authorized to establish safety zones of a kind and character and at places as he or she may deem necessary for the protection of pedestrians.

6.5 Bicycle paths or bicycle lanes; establishment; traffic-control devices

When the traffic engineer, after a traffic survey and engineering study, determines there is a need, he or she may establish a part of a street or highway under his or her jurisdiction as a bicycle path or lane. The bicycle path or lane shall be identified by official traffic-control devices that conform to the Michigan manual of uniform traffic-control devices.

6.6 Bicycle paths; vehicles prohibited; violation as misdemeanor

A person shall not operate a vehicle on or across a bicycle path, except to enter or leave adjacent property or as otherwise permitted in this rule. A person shall not park a vehicle on a bicycle path. A person who violates this rule is guilty of a misdemeanor.

6.7 Bicycle lanes; vehicles prohibited; parking permitted under certain conditions; violations as misdemeanor

A person shall not operate a vehicle on or across a bicycle lane, except to enter or leave adjacent property. A person shall not park a vehicle on a bicycle lane, except where parking is permitted by official signs. A person who violates this rule is guilty of a misdemeanor.

7.0 RIGHTS AND DUTIES OF DRIVERS AND OTHERS

7.1 Driving at slow speed; violation as a civil infraction

A person shall not drive a motor vehicle at a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or to comply with law. A person who violates this rule is responsible for a civil infraction.

7.2 Violation of signs; violation as civil infraction

It shall be prima facie unlawful to exceed the speed stated on signs erected in accordance with a traffic control order or a traffic ordinance of the University. A person who violates this rule is responsible for a civil infraction.

7.3 Manner of charging violation of speed restriction

In every charge of violating a speed restriction, the complaint and traffic citation shall specify the speed at which the defendant is alleged to have driven and the speed applicable within the district or at the location.

7.4 Consumption of liquor on highways or on property open to public; violation as misdemeanor

Alcoholic liquor shall not be consumed on a highway, street, alley, or any public or private property that is open to the general public. This rule does not apply to a premises operating under a license or permit issued pursuant to 1998 PA 58, MCL 436.1101 et seq. A person who violates this rule is guilty of a misdemeanor.

7.5 One way roadways; violation as civil infraction

On a roadway or alley that is designated and signposted for one way traffic, a vehicle shall be driven only in the direction designated. A person who violates this rule is responsible for a civil infraction.

7.6 Limitations on turning around; violation as civil infraction

(1) The driver of any vehicle shall not turn the vehicle so as to proceed in the opposite direction on any street unless the movement can be made in safety and without interfering with other traffic. A person who violates this rule is responsible for a civil infraction.

7.7 Emerging from alley, driveway, or building; violation as civil infraction

The driver of a vehicle that is merging from an alley, driveway, or building shall stop the vehicle immediately before driving onto a sidewalk or onto the sidewalk area extending across any alleyway, shall yield the right-of-way to any pedestrian as may be necessary to avoid collision and, upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway. A person who violates this rule is responsible for a civil infraction.

7.8 Entering intersection or crosswalk; obstructing traffic prohibited; violation as civil infraction

A driver shall not enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he or she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. A person who violates this rule is responsible for a civil infraction.

7.9 Parades and processions; permit required; violation as misdemeanor

A procession or parade, other than a procession or parade of the forces of the United States armed services, the military forces of this state, and the forces of the police and fire departments, shall not occupy, march, or proceed along any roadway, unless pursuant to a permit issued by the Chief of Police and unless the procession or parade is in accordance with other regulations as are set forth in this ordinance. A person who violates this rule is guilty of a misdemeanor.

7.10 Driving on lawn or sidewalk prohibited; violation as civil infraction

The driver of a vehicle shall not drive on any lawn or within any sidewalk area, except at a driveway. A person who violates this rule is responsible for a civil infraction.

7.11 Limitations on backing; violation as civil infraction

The driver of a vehicle shall not back the vehicle unless the movement can be made with reasonable safety and without interfering with other traffic. A vehicle shall not be backed a distance of more than 60 feet. A vehicle shall not be backed into an intersection; except when it is not otherwise possible to turn about and when the movement can be made safely without interfering with other traffic. A person who violates this rule is responsible for a civil infraction.

7.12 Driving through or over a safety zone occupied by people prohibited; violation as civil infraction

The driver of a vehicle shall not at any time drive through or over a safety zone when the safety zone contains any person therein. A person who violates this rule is responsible for a civil infraction.

7.13 Splashing prohibited; violation as civil infraction

A driver of a motor vehicle shall not recklessly, willfully, wantonly, or carelessly operate his or her vehicle in a manner as to splash snow, rain, water, mud, dirt, or debris on any person who is on a sidewalk, crosswalk, or safety zone. A person who violates this rule is responsible for a civil infraction.

7.14 Deposit of litter on streets prohibited; violation as misdemeanor

A person shall not, without the consent of the public authority having supervision of a street, deposit, place, dump, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of, any destructive or injurious material, any rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, trash, or debris on any street or parking area. A person who throws or drops, or permits to be thrown or dropped, on a street any of the material or matter listed in this section of this rule shall immediately remove it or cause it to be removed. The violation of this rule is punishable as a misdemeanor.

7.15 Throwing objects at or into paths of vehicles prohibited; violation as misdemeanor

A person shall not knowingly cause any litter or any object to fall or to be thrown into the path of or to hit a vehicle traveling on a street. The violation of this rule is punishable by a fine of not more than \$500.00 or not more than one year in county jail, or both. A person who violates this rule is guilty of a misdemeanor.

7.16 Removal of wrecked or damaged vehicles; violation as misdemeanor

A person who removes a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped on the street from the vehicle. The violation of this rule is punishable as a misdemeanor.

7.17 Requirements when leaving motor vehicle unattended; violation as civil infraction

A person who has control or charge of a motor vehicle shall not allow the vehicle to stand unattended on any street or any other place without first stopping the engine, locking the ignition, and removing and taking possession of the ignition key. The provisions of this rule that pertain to the locking of the ignition and removing and taking possession of the ignition key do not apply to motor vehicles that are manufactured with an ignition system that does not have a key and that is incapable of being locked. A person who violates this rule is responsible for a civil infraction.

7.18 Operation of vehicle with unnecessary noise prohibited; violation as civil infraction

A person shall not operate a motor vehicle with unnecessary noise and shall not start, move, or turn a motor vehicle or apply the brakes or the power on a motor vehicle or in any manner operate the vehicle so as to cause the tires to squeal or the tires or vehicle to make any noise not usually connected with the operation of the motor vehicle, except in case of an emergency. A person who violates this rule is responsible for a civil infraction.

7.19 Display on vehicle of official designation, sign, or insignia prohibited; violation as misdemeanor

An owner shall not display on any part of his or her vehicle, or knowingly permit the display of, any official designation, sign, or insignia of any public or quasi-public corporation; municipal, state, or national department; or government subdivision without authority of the agency. A person who violates this rule is guilty of a misdemeanor.

7.20 Opening vehicle doors so as to impede traffic prohibited; violation as civil infraction

A person shall not open a door of a vehicle in a manner that interferes with or impedes the flow of traffic. A person who violates this rule is responsible for a civil infraction.

8.0 OPERATION OF BICYCLES, MOTORCYCLES, MOPEDS, AND TOY VEHICLES

8.1 Bicycles; operation; riders to obey traffic laws

- (a) No person shall operate any bicycle upon other than established roadways, sidewalks, parking areas or bicycle paths.
- (b) A person operating a bicycle on a sidewalk constructed for the use of pedestrians shall yield the right-of-way to a pedestrian and shall give an audible signal before overtaking and passing the pedestrian.
- (c) Every person riding a bicycle or moped upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the State Laws of Michigan declaring rules of the road

applicable to vehicles and by this ordinance.

8.2 Obedience to pedestrian regulations when dismounted from a bicycle

When authorized signs are erected that indicate that right, left, or U-turns are not permitted, a person who operates a bicycle shall obey the direction of the sign, except where the person dismounts from the bicycle to make the turn, in which event the person shall then obey the regulations applicable to pedestrians.

8.3 Emerging from alley, driveway, or building; yielding right-of-way; violation as civil infraction

The operator of a bicycle who emerges from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk area and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway. A person who violates this rule is responsible for a civil infraction.

8.4 Bicycles; parking on sidewalk; violation as civil infraction

No person shall park a bicycle upon a street other than upon the sidewalk in a rack to support the bicycle or such other place as provided by the University for bicycles. Any bicycle found parked on University property other than in a rack designed to support the bicycle shall be impounded and held in a secure location at the police department. A person who violates this rule is responsible for a civil infraction.

8.5 Bicycles; restricted from campus during snow removal

Because of snow removal operations, bicycles may not be left in bike racks on campus during snow removal months. Ferris State University grounds department is therefore authorized to collect bicycles left on campus from the beginning of Thanksgiving break through the end of spring break of each academic year and store them at the Department of Public Safety outside storage facility. Any bicycles not claimed by their owner by April 1 of any calendar year may be disposed of by the Department of Public Safety as they see fit to dispose of such bicycles.

8.6 Obedience to signs prohibiting riding of bicycles; violation as civil infraction

When a sign is erected on a sidewalk that prohibits the riding of bicycles thereon by any person, a person shall obey the sign. A person who violates this rule is responsible for a civil infraction.

8.7 Number and manner of carrying person; bicycles

A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto, and such person shall not carry more persons at one time than the number for which it is designed and equipped.

8.8 Electric personal assistive mobility devices, low speed vehicles, mopeds

A moped, low speed vehicle or electric personal assistive mobility device shall not be operated on a sidewalk constructed for the use of pedestrians. Mopeds, low speed vehicles and electric personal assistive mobility devices may only be parked in a legal parking space and is subject to registration permit requirements with the University. This rule does not regulate the use of wheelchairs or similar devices designated to transport or assist handicapped persons. A person who violates this rule is responsible for a civil infraction.

9.0 PEDESTRIANS' RIGHTS AND DUTIES

9.1 Pedestrians; traffic-control signals; privileges and restrictions; violation as civil infraction

Pedestrians are subject to traffic-control signals at intersections as provided in section 613 of the Act and section 6 of this ordinance. At all other places, pedestrians shall be accorded the privileges, and shall be subject to the restrictions, stated in this section. A person who violates this rule is responsible for a civil infraction.

9.2 Pedestrians; right-of-way in crosswalk; violation as civil infraction

When traffic-control signals are not in place or are not in operation, the driver of a vehicle shall yield the right -of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but a pedestrian shall not suddenly leave a curb or other place of safety and walk or run into a path of a vehicle that is so close that it is impossible for the driver to yield. A person who violates this rule is responsible for a civil infraction.

9.3 Passing vehicle stopped at intersection to permit pedestrian to cross prohibited; civil infraction

When any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle. A person who violates this rule is responsible for a civil infraction.

9.4 Crossing roadway at right angles to curb required; violation as civil infraction

A pedestrian shall not, except in a marked crosswalk, cross a roadway at any other place than by a route at right angles to the curb or by the shortest route to the opposite curb. A person who violates this rule is responsible for a civil infraction.

9.5 Pedestrians; yielding right-of-way; violation as civil infraction

Every pedestrian who crosses a roadway at any point other than within a marked crosswalk at an intersection shall yield the right-of-way to all vehicles on the roadway. A person who violates this rule is responsible for a civil infraction.

9.6 Pedestrians; yielding right-of-way to emergency vehicles; violation as civil infraction

A pedestrian shall yield the right-of-way to an authorized emergency vehicle under the conditions prescribed in the Act. A person who violates this rule is responsible for a civil infraction.

9.7 Pedestrians; crossing between adjacent intersections; violation as civil infraction.

Where traffic-control signals are in operation, pedestrians shall not cross the roadway except in a marked crosswalk. A person who violates this rule is responsible for a civil infraction.

9.8 Pedestrians; soliciting ride, employment, or business in roadway prohibited; violation as civil infraction

A person shall not stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle. A person who violates this rule is responsible for a civil infraction.

9.9 Pedestrians; soliciting the watching or guarding of vehicle in street or highway prohibited; violation as civil infraction

A person shall not stand on or in proximity to a street or parking lot for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on any street or parking lot. A person who violates this rule is responsible for a civil infraction.

9.10 Stopping for blind pedestrians; violation as misdemeanor

Any driver of a vehicle who approaches within 10 feet of a person who is wholly or partially blind, who is carrying a cane or walking stick that is white or white tipped with red, or who is being led by a guide dog wearing a harness and walking on either side, or slightly in front, of the blind person shall immediately come to a full stop and shall take precautions before proceeding as may be necessary to avoid accident or injury to the wholly or partially blind person. A person who violates this rule is guilty of a misdemeanor.

9.11 Drivers; exercising due care; violation as civil infraction

Notwithstanding the foregoing provisions of this part, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian on any roadway, shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person on a roadway. A person who violates this rule is responsible for a civil infraction.

10.0 STOPPING, STANDING, AND PARKING

10.1 Standing or parking close to curb; violation as civil infraction

A person shall not stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the right-hand wheels of the vehicle within 12 inches of the curb or edge of the roadway, except as otherwise provided in this section. A person who violates this rule is responsible for a civil infraction.

10.2 Parking on one way streets; violation as civil infraction

Vehicles may park with the left -hand wheels adjacent to, and within 12 inches of, the left -hand curb of properly signed one way streets. A person who violates this rule is responsible for a civil infraction.

10.3 Stopping, standing, or parking on streets signed for angle parking; violation as civil infraction

On those streets that have been signed or marked for angle parking, a person shall not stop, stand, or park a vehicle other than at the angle to the curb or edge of the roadway indicated by the signs or markings. A person who violates this rule is responsible for a civil infraction.

10.4 Vehicle starting from parked position; violation as civil infraction

A vehicle starting from a parked position shall yield to moving vehicles the right-of-way, and the operator of the vehicle shall give a timely and visible warning signal before so starting. A person who violates this rule is responsible for a civil infraction.

10.5 Vehicle parked at angle to curb and about to start; yielding right-of-way; backing into lane of moving traffic; violation as civil infraction

A vehicle that is parked at an angle to the curb and that is about to start must back into the first traffic lane and shall yield to moving vehicles the right-of-way, and the operator of the vehicle shall not back the vehicle from the curb into the lane of moving traffic unless the maneuver can be made in safety and without conflict with moving vehicles. A person who violates this rule is responsible for a civil infraction.

10.6 Headlights on parked vehicles; violation as civil infraction

Any lighted headlights on a parked vehicle shall be depressed or dimmed. A person who violates this rule is responsible for a civil infraction.

10.7 Parking for certain purposes prohibited; violation as civil infraction

A person shall not park a vehicle on any street or parking lot for the principal purpose of doing any of the following:

- (a) Displaying the vehicle for sale.
- (b) Washing, polishing, greasing, or repairing the vehicle, except for repairs necessitated by an emergency.
- (c) Displaying advertising.
- (d) Selling merchandise from the vehicle, except in a duly established market place or when so authorized or licensed under the ordinances of Ferris State University.

A person who violates this rule is responsible for a civil infraction.

10.8 Stopping, standing and parking; prohibited places and manner (no signs required):

No person shall stop or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with 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 none, then within 15 feet of the intersection of property lines at an intersection of streets
- (g) Within 30 feet upon the approach to any flashing beacon, stop sign, yield sign or traffic control signal located at the side of a street
- (h) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings
- (i) Upon any street or parking lot or other parking facility in such a manner or under such conditions as to leave available insufficient width of the roadway for free movement of vehicle traffic, or as to require vehicles operating upon the roadway to leave their assigned traffic lane in order to pass such vehicle
- (j) Within 500 feet of where fire apparatus has stopped in answer to a fire alarm
- (k) Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic
- (l) On the street side of any vehicle stopped or parked at the edge or curb of a street
- (m) Upon any bridge or other elevated structure upon a street or within a tunnel
- (n) Within 200 feet of an accident at which police officers are in attendance
- (o) In front of any theater
- (p) In any place or in any manner so as to block immediate egress from any emergency exit or exits, conspicuously marked as such, of buildings

- (q) In any place or in any manner so as to block or hamper the immediate use of an immediate egress from any fire escape conspicuously marked as such providing an emergency means of egress for any building
- (r) At any place where official signs prohibit stopping, standing or parking
- (s) In a parking space clearly identified by an official sign as being reserved for the use by handicappers which is on public or private property available for public use, unless the person is a handicapper or unless the person is parking the vehicle for the benefit of a handicapper. In order for the vehicle to be parked in the parking space, the vehicle shall display a handicap permit. Section 257.674 of the Michigan Motor Vehicle Code is incorporated herein by reference

10.9 Standing or parking on one way roadways prohibited; exception; violation as civil infraction

If a street includes two or more separate roadways and traffic is restricted to one direction on the roadway, a person shall not stand or park a vehicle on the left-hand side of the one way roadway, unless signs are erected to permit that standing or parking. A person who violates this rule is responsible for a civil infraction.

10.10 Temporary stop at freight curb loading zone permitted; violation as civil infraction

The driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of, and while actually engaged in, loading or unloading passengers, if the stopping does not interfere with any motor vehicle used for the transportation of materials, which is waiting to enter or about to enter the zone. No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick up and loading of material in any place marked as a loading zone during hours when the provisions applicable to such zones are in effect. A person who violates this rule is responsible for a civil infraction.

10.11 Stopping, standing, or parking of buses and taxicabs restricted; exception; violation as civil infraction

The operator of a bus or taxicab shall not stop, stand, or park on any street in any business district at any place other than at a bus stop or taxicab stand, respectively, except that this provision does not prevent the operator of the vehicle from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of, and while engaged in, the expeditious unloading or loading of passengers. A person who violates this rule is responsible for a civil infraction.

10.12 Restricted use of bus and taxicab stands; violation as civil infraction

A person shall not stop, stand, or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when the stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, the expeditious loading or unloading of passengers, if the stopping does not interfere with any bus or taxicab waiting to enter or about to enter the zone. A person who violates this rule is responsible for a civil infraction.

10.13 Metered parking zones; violation as civil infraction

When a parking meter is erected adjacent to a space marked for parking, the space shall be a metered parking zone, and a person shall not stop a vehicle in this zone for a period of time longer than that designated on the parking meter after depositing a coin of United States currency of a denomination designated on the meter on the days and during the time the regulations on the meter are in force. A person who violates this rule is responsible for a civil infraction.

10.14 Drivers to park within metered parking spaces; violation as civil infraction

Every vehicle shall be parked wholly within the metered parking space for which the meter shows a parking privilege has been granted, except that a vehicle that is too large to be parked within a single designated parking meter zone shall be permitted to occupy two adjoining parking meter spaces if coins are deposited in the parking meter for each space occupied, as required in this ordinance for the parking of other vehicles in that space. A person who violates this rule is responsible for a civil infraction.

10.15 Drivers to park within spaces; violation as civil infraction

Every vehicle shall be parked wholly within a single parking space for which a vehicle may park and may not park on or over the parking space designation. A person who violates this rule is responsible for a civil infraction.

10.16 Prima facie evidence; parking violators

Violation notices are the responsibility of the person to whom the vehicle is registered to by the University. If the vehicle is not registered with the University and a registered student is related to the registered owner of the vehicle, violation notices are the responsibility of the registered student. If the vehicle is not registered with the University and there are no registered students related to the registered owner of the vehicle, violation notices are the responsibilities of the registered owner.

10.17 Snow removal regulations

During winter, it may be necessary to remove snow from designated parking areas. When this is necessary, notices shall be posted 24 hours in advance designating what lots are scheduled for clearing and the lot where vehicles will park during the clearing. Vehicles shall be moved for snow removal by the time so designated on the posted notice. Parking in spaces used to store plowed snow or other areas which obstructs operations for snow removal is prohibited. Any vehicle not in compliance may be ticketed and/or removed at owner's expense.

10.18 Prohibited parking: trailer, storage pod, motor home; violation as civil infraction

No person shall park or store mobile homes, trailers, boats, or similar property in areas other than those designated for such purposes. A person who violates this rule is responsible for a civil infraction.

10.19 Prohibited parking 2:00 AM to 6:00 AM

No person shall park a vehicle on any campus street, meter parking space, commuter parking area or faculty staff parking area from 2:00 AM to 6:00 AM without obtaining a permit allowing the parking to take place. A person who violates this rule is responsible for a civil infraction.

10.20 Parking restrictions: lots assigned by permit; violation as civil infraction

- (a) Motor vehicles shall be parked in areas or parking lots assigned to them by the Ferris State University Department of Public Safety as indicated on the parking permit so issued. All parking areas are designated for specific groups. Only vehicles with appropriate decals are permitted in those areas. A person who violates this rule is responsible for a civil infraction.
- (b) Ferris State University registered vehicles displaying a valid handicap parking permit may park in any space on campus 24 hours a day provided the parking is for the person to whom the handicap permit is issued and the parking space is not reserved for another special group or controlled by a parking meter.

10.21 Parking lots controlled by gate or attendant; violation as civil infraction

When parking gates are installed to restrict the use of a parking area or parking lot:

- (a) No person shall use such area without depositing the coin of United States currency of the denomination designated on said parking gate or use authorized card access and according to the operating instructions designated on the parking gate.
- (b) No person shall drive or attempt to drive a vehicle through parking lot entrances or exits controlled by parking gates or booths, except in the manner posted and indicated by the nature of the operation of the parking gate.
- (c) No person shall drive or attempt to drive a vehicle into a parking lot through the "exit" side of the parking gate or drive a vehicle from a parking lot through the "entrance" side of the parking gate unless directed to do so by a police officer.
- (d) No person shall by any means whatsoever cause or attempt to cause the mechanism of a parking gate to operate unless the person shall be driving a vehicle through a parking lot entrance controlled by the parking gate and then shall cause the mechanism to operate in only its normal and intended manner as provided elsewhere in this section.
- (e) No person shall use a parking area or lot where a parking lot attendant is present without either paying to the attendant in coin of United States currency in the amount of the denomination posted for parking in the area or lot or obtaining a proper permit allowing them to use the parking area or lot.

10.22 Remove, tamper with vehicle wheel lock device; violation as misdemeanor

No person shall remove, attempt to remove, tamper or meddle with a vehicle wheel lock device which has been lawfully installed on a vehicle in accordance with this ordinance. A person who violates this rule is guilty of a misdemeanor.

10.23 Campus map

Attached hereto and made a part hereof is a map entitled, "Campus Map" on which appears 2009-2010 motor vehicle regulations and procedures setting forth and locating parking lots on the campus of Ferris State University, Big Rapids, Michigan and setting forth the persons who may use such lots and the time and manner of such permitted use. Violations of the provisions contained on the map, or amendments to the map, on the reverse side of the map setting forth the persons who may use such lots and the time and manner of such permitted use are a violation of this ordinance.

11.0 REGISTRATION OF VEHICLES

11.1 Vehicles to be registered

All motor vehicles parked on the campus shall be either registered with the University in accordance with rules and regulations adopted by the Board of Trustees or parked in a metered parking space.

11.2 Parking charges

Charges for parking to faculty, staff, students and visitors shall be established from time to time by the Ferris State University Board of Trustees. The Board may exempt certain employees or groups of employees, students or visitors from such charges. Fee schedule for Vehicle Registration shall be published on the annual Automobile Regulations and Campus Map.

11.3 Authorized University parking permit; violation as civil infraction

It shall be wholly the responsibility of the Ferris State University Department of Public Safety to design or authorize the use of any registration decal or parking permit for use on Ferris State University campus. A person who violates this rule is responsible for a civil infraction.

11.4 Display of parking permit; violation as civil infraction

The Ferris State University parking permit is to be fully affixed and displayed at all times as instructed on the issued parking permit and may only be so affixed on the vehicle for which the permit was issued. An expired permit shall be removed before a new one is affixed. A person who violates this rule is responsible for a civil infraction.

11.5 Temporary parking permit

All students, faculty and staff who have a University registered vehicle and wish to use another vehicle temporarily, or vendors who have a periodic need to deliver goods or services to the University, or visitors who have a periodic need to visit campus may obtain a temporary parking permit after paying any attached fees for the use of the temporary permit.

11.6 Employee's child or spouse registration; violation as civil infraction

A student who is related to a full time University employee and is operating a vehicle bearing a Donor Society or a Faculty/Staff parking permit shall register the vehicle as a student and purchase the applicable student parking permit. A person who violates this rule is responsible for a civil infraction.

11.7 Effective time of registration

The regulations for motor vehicle registration are in effect from the date the parking decal is issued through midnight on the date the decal expires.

11.8 Insurance

To be registered for a parking permit on Ferris State University property, all vehicles must be covered with a public liability and property damage insurance with the insurance remaining in effect as long as the vehicle is in the University community. Expiration or cancellation of insurance will automatically revoke the University motor vehicle registration and privileges.

11.9 Title

No student, faculty or staff may register a motor vehicle unless the title to the vehicle is in their name or the name of a member of their immediate family.

11.10 Unauthorized use of University parking decal; violation as civil infraction

University parking decal may only be displayed on the vehicle for which the decal was issued and used by the person to whom the decal was registered. No person may sell, lend or knowingly permit use of the registration decal by another person on the same vehicle or any other vehicle. A person who violates this rule is responsible for a civil infraction.

11.11 Display of imitation registration decal; violation as civil infraction

It shall be unlawful for any person to have displayed on or in any motor vehicle an imitation Ferris State University registration decal or parking permit. An imitation registration decal or parking permit means an object which was not issued by Ferris State University but which physically resembles the registration decal or parking permit issued by the University. A person who violates this rule is responsible for a civil infraction.

11.12 Display of registration decal or parking permit on unauthorized vehicle; violation as civil infraction

No person shall have displayed on or in any motor vehicle a Ferris State University registration decal or parking permit which was issued for use by a different vehicle. A person who violates this rule is responsible for a civil infraction.

11.13 Display of altered registration decal or parking permit; violation as civil infraction

No person shall have displayed on or in any motor vehicle a Ferris State University registration decal or parking permit which has been altered since the time it was issued by the University. A person who violates this rule is responsible for a civil infraction.

12.0 MISCELLANEOUS

12.1 Unlawful display or representation of driver's license or identification card; violation as misdemeanor

No person shall display or represent as one's own, any operator or chauffeur license, Ferris State University identification card or other identification card that was not issued to the person so displaying the same. A person who violates this rule is guilty of a misdemeanor.

12.2 Damage to traffic control device; violation as misdemeanor

No person shall attempt to or in fact alter, deface, damage, knock down or remove any traffic control device or signal. A person who violates this rule is guilty of a misdemeanor.

12.3 Obedience to police officer; violation as misdemeanor

No person shall refuse to comply with a lawful order or direction of a police officer when that officer, for public interest and safety, is guiding, directing, controlling, or regulating traffic upon a street, alley or parking lot on campus. A person who violates this rule is guilty of a misdemeanor.

12.4 No camping or sleeping in vehicles on campus; violation as civil infraction

No person shall sleep in any motor vehicle, motor home, camper, tent or any other place on campus without the expressed consent of the office of student activities through the established procedures for special use of property under the control of Ferris State University through a use of grounds permit. A person who violates this rule is responsible for a civil infraction.

12.5 Invalidity or unconstitutionality of ordinance; severability

If any part or parts of this ordinance are for any reason held to be invalid or unconstitutional, the decision shall not affect the validity or constitutionality of the remaining portions of these rules. The Ferris State University Board of Trustees does hereby declare that it would have passed this ordinance and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid or unconstitutional.

12.6 Saving clause

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are hereby saved, and these proceedings may be consummated under and according to the ordinance in force at the time the proceedings are or were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed by the ordinance adopting this ordinance for offenses committed before the effective date of this ordinance; and all prosecutions pending at the effective date of this ordinance and all prosecutions instituted after the effective date of this ordinance for offenses committed before the effective date of this ordinance may be continued or instituted under and in accordance with the provisions of any ordinance in force at the time of the commission of the offense.

12.7 Adoption of code by reference

This ordinance shall be read to be consistent with the Michigan Uniform Traffic Code for Cities, Townships, and Villages, adopted in October of 2002, and the Michigan Vehicle Code, MCL 257.1 through 257.923. Except where this ordinance contains provisions different from those contained in the Uniform Traffic Code and the Michigan Vehicle Code, the provisions of those laws are incorporated into this ordinance by reference. Further, the Michigan Uniform Traffic Code and the Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, and all future amendments and revisions to the Michigan Uniform Traffic Code and the Michigan Vehicle Code when they are effective in this state are incorporated and adopted by reference.

13.0 PENALTIES AND PROCEDURE ON VIOLATIONS

13.1 Penalties; civil infraction and misdemeanor

- (a) Civil infraction: A violation of this ordinance or rules substantially corresponding to the Act that is designated a civil infraction is not a crime and shall not be punishable by imprisonment or a penal fine. A civil infraction shall not be considered a lesser included offense of any criminal offense.
- (b) Misdemeanor: Unless another penalty is expressly provided by the ordinances of the University, every person who is convicted of a misdemeanor violation of any provision of this ordinance shall be punished by a fine of not more than \$100.00 or by imprisonment for not more than 90 days, or both.

13.2 Appeals of parking violation

Violation notices are the responsibility of the person identified in section 10.16 of this ordinance. Appeals must be filed by the responsible person and done within the time limit as described on the violation notice.

When the responsible person requests to appeal a violation notice, they may post a bond in an amount equal to the total sum of the unpaid violations with the Department of Public Safety. After posting the bond, they can explain their reasoning for the appeal by completing a ticket appeal form. That form will be forwarded to the appeals committee who will review the available information and adjudicate the violations by either:

- (a) Accept the appeal and return the bond in its entirety
- (b) Deny the appeal but reduce the fine imposed
- (c) Deny the appeal in its entirety

In the event the appeals committee decides to reduce or return any fine amount, the amount to be returned will be credited to the student's account with the business office of the University. If the responsible person is not a student at the University, any returns will be made by check and mailed to the responsible person. Decisions of the appeals committee shall be considered final.

13.3 Jurisdiction of Court

Violation of this ordinance may be enforced in the 77th District Court or in any other Court having jurisdiction over infractions or misdemeanors. The procedure in such Court shall be governed by Act No. 300 of the Michigan Public Acts of 1949, as amended, being Sections 257.1 to 257.923 of the Michigan Compiled Laws and Act No. 510 and 511 of the Michigan Public Acts of 1978, as amended, and by its ordinary rules or procedure. Appeals may be taken in the same manner as a civil infraction or misdemeanor case in such Court. Fines collected by the Court for ordinance violations shall be paid to the Business Office of the University within thirty (30) days after collection; and costs shall be handled in the same manner as provided for costs imposed for violation of civil infractions or misdemeanors under state statutes.

13.4 Default in payment; civil contempt

A default in the payment of a civil fine or costs ordered by a court or an installment thereof may be collected by any means authorized for the enforcement of a judgment under Chapter 40 of Act No. 236 of the Public Acts of 1961, as amended, being Sections 600.6001 to 600.6097 of the Michigan Compiled Laws.

If a defendant defaults in the payment of a civil fine, costs or both, or any installment, as ordered, the Court, upon the motion of the plaintiff or upon its own motion, may require the defendant to show cause why the default should not be treated as in civil contempt and may issue a summons or order to show cause or a bench warrant of arrest for the defendant's appearance. The provisions and procedures provided in Section 257.908 of the Michigan Compiled Laws shall be applicable to such defaults.

14.0 PARKING VIOLATIONS BUREAU

14.1 Bureau established

The Parking Violations Bureau established by the Board of Control on October 25, 1991, is continued:

- (a) As an exclusive agency to accept pleas of responsibility in cases of violation of the parking provisions of this ordinance.
- (b) To collect and retain fines and costs for parking violations of this ordinance.

14.2 Schedule of offences and fines

The fine schedule for parking violations shall be published on the yearly Automobile Regulations and Campus Map. In the event a person fails to respond within twenty (20) days to a violation notice such outstanding parking violation notice may be sent to the 77th District Court for collection. Failure to respond to a citation or notice after it has been sent to court may result in the suspension of one's drivers' license or other action within the Court's authority.

14.3 Disposition of violation

No penalty for any violation shall be accepted from any person who denies having committed the offence and in no case shall the person who is in charge of the bureau determine, or attempt to determine, the truth or falsity of any fact or matter relating to the alleged violation. No person shall be required to dispose of a parking violation at the Parking Violations Bureau and all persons shall be entitled to have any such violation processed before a Court having jurisdiction thereof if they so desire provided notice of that desire is given to the Parking Violations Bureau within 14 days of the date of the violation notice. The unwillingness of any person to dispose of any violation at the Parking Violations Bureau shall not prejudice him or in any way diminish the rights, privileges, and protection accorded to him by law.

14.4 Information concerning bureau on ticket

The issuance of a parking ticket or notice of violation by a police officer or any authorized employee of Ferris State University shall be deemed an allegation of a parking violation. Such traffic ticket or notice of violation shall display the length of time in which the person to whom the same was issued must respond before the Parking Violations Bureau. It shall also indicate the address of the Bureau, the hours during which the Bureau is open, the amount of the penalty scheduled for the office (or the means for obtaining the same) for which the ticket was issued.

April 9, 2010

3a.4. Traffic, Parking and Pedestrian Ordinance Revision

Moved by **Trustee Menoutes**, supported by **Trustee Tebo**, and **unanimously carried** that the Ferris State University Board of Trustees hereby approves the following Resolution:

RESOLUTION

WHEREAS, the University, as a local unit of government, enacts ordinances that regulate the proper use of the transportation system resources for the safety of students, faculty, staff and visitors; and,

WHEREAS, the current ordinance for the regulation of parking, traffic and pedestrian matters was last reviewed and made effective October 25, 1991; and,

WHEREAS, incidental regulations have been changed, as authorized, in the issuing of the annual campus maps, but it is time to make more comprehensive amendments; and,

WHEREAS, transportation system needs change over time and given the necessity to keep people and property safe in that system, a periodic review and updating of the ordinance and regulations relating to transportation safety is necessary, and

WHEREAS, the laws and regulations that serve to guide the context and content of local units of government, including universities' ordinances change, and the need to reflect those changes and amendments exists.

NOW THEREFORE BE IT RESOLVED, that, in accordance with laws of the State of Michigan and the authority granted to the members of the Board of Trustees of Ferris State University, the Ferris State University Traffic, Parking and Pedestrian Ordinance, as presented on this date, is hereby approved effective June 1, 2010.