CITY COMMISSION
CITY OF OTSEGO
Allegan County, Michigan

Commissioner Milhiem, supported by Commissioner Krueger, moved the adoption of the following ordinance:

ORDINANCE NO. 169

AN ORDINANCE TO AMEND SECTIONS 74-65, ARTICLE III- STOPPING, STANDING, AND PARKING OF CHAPTER 74 OF THE CODE OF ORDINANCES OF THE CITY OF OTSEGO TO AMEND THE FRONT YARD PARKING ORDINANCE

THE CITY OF OTSEGO ORDAINS:

Section 1.   Amendment. That Sections 74-65 of Chapter 74 of the Code of Ordinances, City of Otsego, Michigan are amended to read as follows:

Sec. 74-65. Parking or storage of **vehicles** in front yards in residential districts.

(a)   In order to protect the public health, safety and general welfare, to enhance the visual environment of the city and to preserve residential neighborhoods, the parking, storage or leaving unattended of any **vehicle** in any front yard in any residential district in the city is declared to be a public nuisance and is prohibited. This paragraph shall not restrict parking in designated parking areas in residential districts which have been approved by the city's planning commission in accordance with Article IV of Appendix A of the Otsego City Code, being the Zoning Ordinance.

(b)   For the purposes of this section, the term "front yard" shall mean that area measured by the full width of the front lot line to a depth measured from said front lot line to the first supporting member of a structure. In the case of corner lots, the front yard shall be the area measured by the lot lines on each street to a depth measured from said lot lines to the first supporting member of the structure.

(c)   For the purposes of this section, the term "driveway" shall mean an access roadway leading from an authorized curb cut to a garage, carport or required parking space, including turnaround and other vehicle maneuvering areas, and including circular driveways from an authorized curb cut to another authorized curb cut, which is surfaced with concrete, asphalt, or such other material as permitted under the city's Zoning Ordinance, Appendix A to this Code, or by other applicable provisions of state law. Such surfacing shall have adequate coverage and barriers sufficient to confine the material, as approved by the building official.

(d)   **For the purposes of this section, the term "vehicle" shall mean any automobile, truck, motorcycle, snowmobile, boat (motorized or non-motorized including canoes and kayaks) or any trailer that is intended to be pulled behind a self-propelled vehicle of any kind. This includes trailers with contents within or on it as well as empty trailers.**

(e)   Nothing in this section shall prohibit the parking of **vehicles** upon driveways.

(f)   Any or all of the following persons shall be responsible for a civil infraction and shall pay a fine as set by resolution of the city commission for each violation of this section: (i) the owner of the **vehicle** parked in violation of this section; (ii) the operator of the **vehicle** parked in violation of this section; (iii) the owner of the property permitting a **vehicle** to be

parked upon the subject property in violation of this section; and/or (iv) the occupant, lessee or licensee of the property permitting a **vehicle** to be parked upon the subject property in violation of this section. Each separate incident in violation of this section, and each separate day for which a violation of this section continues, shall constitute a separate offense.

Section 2.   Effective Date. This ordinance shall take effect upon the latter of publication or the passage of twenty (20) days' time following its final adoption in accordance with the City Charter.

YEAS: Cyndi Trobeck, Stacey Withee, Lauri Krueger, Brent Milhiem.

NAYS: Dustin McNees.

ABSTAIN: None.

ABSENT: None.

ORDINANCE ADOPTED.

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CERTIFICATION

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I certify that this is a true and complete copy of an ordinance adopted by the City Commission of the City of Otsego at a regular meeting held on October 4, 2021.

Dated: October 4, 2021   _____

                                                      Angela Cronen, City Clerk