



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

Date: May 15, 2024

To: Mayor and Members of City Council

From: Mark F. Miller, City Manager  
Robert J. Bruner, Deputy City Manager  
Lori Grigg Bluhm, City Attorney  
Kurt Bovensiepe, Public Works Director  
Scott Finlay, City Engineer  
Frank Nastasi, Police Chief  
Allan T. Motzny, Assistant City Attorney

Subject: Amendment to Traffic Code - Temporary Deviation from Parking Regulations

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Attached for City Council review and consideration is a proposed amendment to Chapter 107 of the Troy City Code. Chapter 107 adopts the provisions of the Michigan Vehicle Code by reference, including Section 674, MCL 257.674, which sets forth parking regulations applicable in the City of Troy. Based on those regulations, the parking of vehicles is allowed on some public streets in the City but prohibited on other public streets or specific areas of such streets. Based on the current provisions of Chapter 107, there is no authority that would allow any deviation from these parking requirements.

The purpose of the proposed amendment is to allow for a temporary deviation from the parking regulations based on specific circumstances. By way of example, the annual Troy Historic Village Troy Traffic Jam Car Show generally results in an increase in the number of vehicles in the City in need of a parking space to attend the event. The proposed ordinance would authorize the City Manager to issue a waiver of the parking restrictions that currently prohibit parking on some of the streets near the event. The waiver would benefit the public since it would minimize traffic congestion by providing convenient parking of vehicles for drivers who would otherwise be required to continue to drive around the City in an effort to locate a parking space. Likewise, the proposed ordinance would also authorize the City manager to declare, for public safety purposes, a snow emergency based on weather conditions and designate specific streets or portions thereof as temporary no parking zones to allow for snow and ice removal by City employees.

This proposed ordinance amendment is being provided for informational purposes at this time. Absent contrary direction from City Council, it will be brought back as a proposed action item on the June 10, 2024 Regular City Council agenda.

We are happy to answer any questions or concerns you have about this item.

CITY OF TROY

AN ORDINANCE TO AMEND

CHAPTER 107- TRAFFIC AND MOTOR VEHICLES

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 107- Traffic and Motor Vehicles.

Section 2. Amendment to Ordinance

Section 15 is added to Chapter 107- Traffic and Motor Vehicles, as follows:

**107.15            TEMPORARY DEVIATION FROM PARKING REGULATIONS**

**A. Parking Waiver**

The City Manager or authorized designee is empowered to grant a temporary waiver of specific parking regulations imposed by this Chapter to accommodate a scheduled event in the City that is likely to generate excessive traffic and congestion. Any such requested waiver shall initially be submitted in writing to the Troy Police Chief or City Engineer, detailing the requested relief from the City's parking regulations. The Troy Police Chief, City Engineer, or authorized designee should review the requested temporary waiver, and based on available information, make a recommendation to the City Manager or designee. If warranted, the City Manager can approve a temporary waiver of parking regulations, and shall set forth in writing the specific boundaries, conditions, and standards that will apply, if any, to preserve public safety and the attractive appearance of the City. Notice of temporary parking waiver allowances shall be posted in the area, identifying the restriction and that the restriction is temporary. Failure to comply with the terms and conditions for any such approved waiver of specific parking regulations shall be a civil infraction.

**B. Snow Emergency**

The City Manager or authorized designee is empowered to declare a snow emergency in the City when snow accumulation or weather conditions are such that it is necessary in the interest of public safety to temporarily prohibit parking of vehicles in designated areas to facilitate snow removal. Only the Troy Police Chief or the Director of Public Works or authorized designee can request the declaration of any such snow emergency. If such a request is deemed appropriate, the City Manager or authorized designee shall declare the specific parking prohibitions, including but not limited to the specific public streets or portions thereof and/or other areas where parking is temporarily prohibited. At a minimum, the City Manager's written snow emergency declaration shall be prominently posted on the City's webpage at the earliest opportunity, and shall also issue a press release that is intended to be used by local broadcasts and/or telecasts stations with a normal operating range covering the City to share the announcement. The snow emergency shall remain in effect for the period of time set by the City Manager or until the particular street or area has become substantially clear of snow and ice from curb to curb, whichever comes first. While the

declaration is in effect, no person shall park or allow to remain parked any vehicle in any area designated in the snow emergency declaration. Failure to comply with the parking prohibitions set forth in the snow emergency declaration shall be a civil infraction.

### Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

### Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings 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 or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

### Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect, and any such ruling shall not affect any other provisions of this Ordinance not specifically included in such ruling.

### Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Ethan D. Baker, Mayor

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M. Aileen Dickson, CMC, City Clerk