

VILLAGE ORDINANCE

No. 103

AN ORDINANCE RESPECTING TRAFFIC CONTROL AND GOVERNING THE PASSING OF SCHOOL BUSES STOPPED TO RECEIVE OR DISCHARGE PASSENGERS WITHIN THE VILLAGE LIMITS, TO PROVIDE FOR ENFORCEMENT THEREOF, TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF AND TO REPEAL PRIOR ORDINANCES OR PARTS THEREOF INCONSISTENT HEREWITH.

THE VILLAGE OF EDWARDSBURG ORDAINS:

Section 1. Painting, signs. All school buses transporting pupils inside of the corporate limits of said Village of Edwardsburg where stopping of school buses is controlled by local ordinance shall be painted and shall contain such signs on the back and front thereof, with respect thereto, as shall be approved by the state highway commissioner and the superintendent of public instruction.

Section 2. Flashing lights, overtaking or oncoming vehicles; bus passengers, crossing road; traffic controlled intersections. The driver of a vehicle overtaking or meeting any school bus which has stopped and is displaying 2 alternately flashing red lights located at the same level shall bring the vehicle to a full stop at least 10 feet from the school bus and shall not proceed until the school bus resumes motion or the visual signals are no longer actuated. The driver of the school bus before resuming motion, shall deactivate flashing lights and permit stopped traffic to proceed and shall when resuming motion proceed in such a manner as to allow congested traffic to disperse by keeping the bus as near to the right side of the road as can be done with safety. Passengers crossing the road upon being discharged from a school bus shall cross in front of the stopped school bus. At an intersection where traffic is controlled by an officer or a traffic stop-and-go signal a vehicle need not be brought to a full stop before passing a stopped school bus, but may proceed past the school bus at a speed not greater than is reasonable and proper and in no event greater than 10 miles an hour and with due caution for the safety of passengers being received or discharged from the school bus.

Section 3. Visibility of bus in stopped position. No school bus driver shall stop his bus for the purpose of receiving or discharging passengers unless the bus is clearly visible in its stopped position to approaching or overtaking drivers of vehicles for a distance of at least 500 feet.

Section 4. Divided highway, vehicle on opposite section from school bus. The driver of a vehicle upon any highway which has been divided into 2 roadways by leaving an intervening space, or by a physical barrier, or clearly indicated dividing sections so con-

structed as to impede vehicular traffic, need not stop upon meeting a school bus which has stopped across the dividing space, barrier or section.

Section 5. Flashing lights, color, location, intensity, use in Village. Every school bus transporting pupils inside of the corporate limits of said Village where stopping of school buses is controlled by local ordinance shall, in addition to any other equipment and distinctive marking required by law, be equipped with signal lamps mounted as high and widely spaced laterally as practicable which shall be capable of displaying to the front 2 alternately flashing red lights located at the same level and to the rear 2 alternately flashing red lights located at the same level. The lights shall have sufficient intensity to be visible from a distance of at least 500 feet in normal sunlight and shall be actuated by the driver of the school bus whenever but only whenever the vehicle is stopped and for a distance of at least 200 feet in advance of a stop for the purpose of receiving or discharging school children.

Section 6. Front end mirror for driver's view of road from front bumper forward. Every school bus shall be equipped with a mirror, convex in shape, at least 7½ inches in diameter firmly mounted at hood or fender-top height in front of the bus. It shall be located on either the left or right side of the bus in such a manner that the seated driver may observe through its use the road from the front bumper forward to the point where direct observation is possible.

Section 7. Presumption, registered owner as driver; sufficiency of evidence. In any proceeding for a violation of Section 2 of this Ordinance, proof that the particular vehicle described in the citation, complaint or warrant was in violation of Section 2, together with proof that the defendant named in the citation, complaint or warrant was, at the time of violation, the registered owner of the vehicle, shall constitute in evidence a presumption that the registered owner of the vehicle was the driver of the vehicle at the time of violation.

Section 8. Enforceability; requirement of signs. This ordinance shall be enforceable when signs giving notice of the local traffic regulation are posted upon or at the entrance to the area or part thereof affected as may be most appropriate or sufficiently legible as to be seen by an ordinarily observant person.

Section 9. Enforcement; penalties. Any violation of, or failure to comply with the provisions of this Ordinance shall be punished by a fine not to exceed \$100.00, and costs of prosecution, or confinement in the Cass County Jail for a term of not more than 90 days, or both such fine and imprisonment in the discretion of the Court, and when such fine and costs are imposed the Court may provide that in default of payment thereof the offender shall be confined for a period not to exceed 90 days unless such fine and costs shall sooner be paid.

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Section 10. Severability. This ordinance, and various parts, sections, and clauses thereof, are hereby declared to be severable. If any part, section, paragraph, sentence, clause, phrase or word is judged unconstitutional, or invalid, by any Court of competent jurisdiction, it is hereby provided that such adjudication shall not affect, impair or invalidate the remainder of this Ordinance.

Section 11. Repeal. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 12. Effective date. This Ordinance shall take effect on November 23rd, 1970.

We the undersigned, President and Clerk of the Village of Edwardsburg, County of Cass and State of Michigan, do hereby certify that the above and foregoing Ordinance No. 103 was duly passed by the Board of Trustees of said Village at a regular meeting held on the 2nd day of November A.D., 1970.

President
James M. Winter

Clerk
Dorothy V. Winter

I, Dorothy V. Winter, Duly appointed and qualified Clerk of the said Village of Edwardsburg, do hereby certify that the above recorded Ordinance No.103, which was duly passed by the Board of Trustees of said Village on the 2nd day of November, A.D., 1970, was duly published in The Argus, a newspaper published and circulated within the said Village of Edwardsburg, on Thursday, the _____ day of November, A.D., 1970.

Clerk
Dorothy V. Winter

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