

ORDIINANCE #2013 - 002

An ordinance enacted pursuant to MCLs 257.951 to 257.955 and MCL 41.181 to adopt by reference the Uniform Traffic Code for Michigan Cities, Townships and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, Public Act 306 of 1969, as amended (MCL 24.201, et seq.) and made effective October 30, 2002, and to adopt by reference certain state laws; and to repeal all ordinances or parts of ordinances in conflict herewith.

TOWNSHIP OF SUMMERFIELD, MONROE COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

This Ordinance and the provisions of the Uniform Traffic Code and state laws adopted by reference herein shall be collectively known and may be cited as the “Summerfield Township Traffic Code Ordinance.”

Section 2: Adoption of Uniform Traffic Code By Reference

The Uniform Traffic Code for cities, Townships and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969 Public Act 306 of 1969, as amended (MCL 24.201, et seq.) and made effective October 30, 2002, is hereby adopted by reference. All references in said Uniform Traffic Code to a “governmental unit” shall mean the Township of Summerfield.

Section 3: Adoption of Provisions of Michigan Vehicle Code By Reference

The following provisions of the Michigan Vehicle Code, Public Act 300 of 1949, as amended (MCL 257.1, et seq.) are hereby adopted by reference:

Chapter I (Words and Phrases Defined): MCLs 257.1 to 257.82

Chapter II (Administration, Registration): MCLs 257.225, 257.228, 257.243, 257.244, 257.255, and 257.256.

Chapter III (Operator’s and Chauffeur’s License): MCLs 257.310e, 257.311, 257.312a, 257.324, 257.325, 257.326, and 257.328.

Chapter VI (Obedience to and Effect of Traffic laws): MCLs 257.601 to 257.601b, 257.602 to 257.606, 257.611 to 257.616, 257.617a to 257.622, 257.624a to 257.624b, 257.625 (except felony provisions), 257.625a, 257.625m, 257.626 to 257.626b, 257.627 to 257.627b, 257.629b, 257.631 to 257.632, 257.634 to 257.645, 257.647 to 257.655, 257.656 to 257.662, 257.667 to 257.675d, 257.676 to 257.682b, 257.683 to 257.710e, and 257.716 to 257.724.

Chapter VIII (License Offenses): MCL 257.904 to 257.904a, 257.904e, and 257.905.

Section 4: Adoption of Other State laws By Reference:

The following provisions of state law are hereby adopted by reference:

- A. Section 3102 of the Michigan Insurance Code of 1956, Public Act 218 of 1956, as amended, pertaining to required insurance (MCL 500.3102).

Section 5: Penalties

The penalties provided by the Uniform Traffic Code and the provisions of the state laws hereinabove adopted by reference are hereby adopted as the penalties for violations of the corresponding provisions of this Ordinance.

Section 6: Severability

If a court of competent jurisdiction declares any provision of this Ordinance of the Uniform Traffic Code or a statutory provision adopted by reference herein to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision; provided that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

Section 7: Repeal of Conflicting Provisions and Effective Date

This ordinance shall take effect 30 days after publication as required by law. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an Ordinance provision repealed by this Ordinance shall continue under the Ordinance provision then in effect.

Trudy Goodin, Clerk