

**NEW BUFFALO TOWNSHIP
BERRIEN COUNTY, MICHIGAN**

UNIFORM TRAFFIC CODE ORDINANCE

Ordinance No. 20140520

Adopted: 5-20, 2014
Effective: 6-28, 2014

An ordinance enacted pursuant to MCL 257.951 to MCL 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.

THE TOWNSHIP OF NEW BUFFALO, BERRIEN 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 "New Buffalo 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 New Buffalo.

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:

- A. Chapter I (Words and Phrases Defined): MCL 257.1 to 257.82.
- B. Chapter II (Administration, Registration): MCL 257.225, 257.228, 257.243, 257.244, 257.255, and 257.256.
- C. Chapter III (Operator's and Chauffeur's License): MCL 257.310e, 257.311, 257.312a, 257.324, 257.325, 257.326, and 257.328.

- D. Chapter VI (Obedience to and Effect of Traffic Laws): MCL 257.601 to 257.601b, 257.602, 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.
- E. 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 Ac 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 or 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.

SECTION 8. Effective Date; Publication

This ordinance shall become effective 30 days after publication of this ordinance or a summary in a newspaper circulated in the Township.

A motion that said Uniform Traffic Code Ordinance be adopted was made by ROSE DUDIAK and supported by MICHELLE HEIT at a regular meeting of the New Buffalo Township Board on the 19th day of MAY, 2014.

The names of the Township Board members and their votes are as follows:

NAME	YES	NO
Rose Dudiak	<u>X</u>	_____
Paul Oselka	<u>X</u>	_____
Jack Rogers	<u>X</u>	_____
Peter Rahm	<u>X</u>	_____
Michelle Heit	<u>X</u>	_____

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the New Buffalo Township Board at a meeting held on the 19th day of MAY, 2014, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: MAY 19, 2014

Paul Oselka
Paul Oselka, Clerk

PUBLICATION

I hereby certify that a summary of the foregoing Ordinance was published in the New Buffalo Times, New Buffalo, Michigan, on the 29 day of MAY, 2014.

Paul Oselka
Paul Oselka, Clerk