

**NEW BUFFALO TOWNSHIP
BERRIEN COUNTY, MICHIGAN**

UNIFORM TRAFFIC CODE ORDINANCE

AN ORDINANCE TO AMEND THE UNIFORM TRAFFIC CODE ORDINANCE HERETOFORE ADOPTED BY THIS TOWNSHIP BY THE AMENDMENT OF SECTION 9.3 WHICH IS ENTITLED "PENALTIES" AND THE ADDITION THERETO OF A NEW SECTION 9.3 (A) TO PROVIDE FOR PROCEDURES TO PROCESS CIVIL INFRACTIONS; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

THE TOWNSHIP OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ORDAINS:

SECTION I

Section 9.3 of the Uniform Traffic Code Ordinance previously adopted by this Ordinance No. 770714, as amended, which Section is entitled "Penalties" is hereby amended to read as follows:

Violation of any provision of this Ordinance not constituting a civil infraction as that term is used and defined under the provisions of the Motor Vehicle Code of the State of Michigan, being 1949 PA 300 as amended, and 1978 PA 510 shall be punishable by a fine of not more than \$100.00 or imprisonment for not more than 90 days or by both such fine and imprisonment, unless another penalty is expressly provided herein.

SECTION II

The said Uniform Traffic Code Ordinance previously adopted by this Township on the 14th day of July, 1977, through New Buffalo Township Ordinance No. 770714 as amended, is hereby amended by the addition thereto of a new subsection 9.3 (a) to read as follows:

Any provision of this Ordinance which describes an act or omission which constitutes a civil infraction under the terms of the Motor Vehicle Code of the State of Michigan, being 1949 PA 300 as amended, and 1978 PA 510, shall be processed as a civil infraction under the procedures set forth in said Motor Vehicle Code. Violation of any provision of this Ordinance which is designated as a civil infraction in the Motor Vehicle Code is not a crime and shall not be punishable by imprisonment or a penal fine. If a person is determined to be responsible or responsible "with explanation" for a civil infraction, the judge, referee or district court magistrate may order such person to pay a civil fine of not more than \$100.00 along with costs which may include all expenses, direct and indirect, to which this Township has been put in connection with the civil infraction. In no case, however, shall costs be ordered in excess of \$100.00

SECTION III

This Ordinance shall take effect on the 1st day of December, 1979. All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

The foregoing Ordinance was adopted at the New Buffalo Township Board Special Meeting on the 18th of October 1979 in accordance with the following roll call vote:

Ayes: Edward Ohime, Carol Earley, Joann Fleck, Casimer Krycks

Nays: None

Robert Royce (absent)