

ARTICLE R 9

SECTION R 9.01 FRUITLAND TOWNSHIP TRAFFIC CODE ORDINANCE

AN ORDINANCE ENACTED PURSUANT TO MCL 257.951-257.955 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 24.201-24.328) AND MADE EFFECTIVE OCTOBER 30, 2002, AND TO ADOPT BY REFERENCE CERTAIN STATE LAWS; AND TO REPEAL ALL ORDINANCES OR PART OF ORDINANCES IN CONFLICT HEREWITH.

FRUITLAND TOWNSHIP, MUSKEGON COUNTY, MICHIGAN, ORDAINS:

SECTION R 9.02 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 “Fruitland Township Traffic Code Ordinance”.

SECTION R 9.03 ADOPTION OF UNIFORM TRAFFIC CODE BY REFERENCE

The Uniform Traffic Codes 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 24.201-24.328), and made effective October 30, 2002, and all future amendments and revisions to the Uniform Traffic Code when they are promulgated and effective in this state are hereby adopted by reference. All references in said Uniform Traffic Code to a “governmental unit” shall mean Fruitland Township.

SECTION R 9.04 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 257.1-257.923), are hereby adopted by reference:

- A. Chapter 1 (Words and Phrases Defined): MCL 257.1-257.82.
- 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 257.601-257.601b, 257.602-257.606, 257.611-257.616, 257.617a-257.622, 257.624a-257.624b, 257.625 (except felony provisions), 257.625a, 257.625m, 257.626-257.626b, 257.627-257.627b, 257.629b, 257.631-257.632, 257.634-257.645, 257.647-257.655, 257.656-257.662, 257.667-257.675d, 257.676-257.682b, 257.683-257.710e and 257.716-257.724.
- E. Chapter VIII (License Offenses): MCL 257.904-257.904a, 257.904e and 257.905.

SECTION R 9.05 ADOPTION OF OTHER STATE LAWS BY REFERENCE

The following provisions of state laws 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).
- B. Subchapter 6 of Part 811 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, pertaining to off-road vehicles (MCL 324.81101-324.81147).
- C. Part 821 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, pertaining to snowmobiles (MCL 324.82101-324.82158).
- D. Section 703 of the Michigan Liquor Control Act, Public Act 58 of 1998, as amended, pertaining to minors and alcoholic liquor (MCL 436.1703).

SECTION R 9.06 PENALTIES

The penalties provided by the Uniform Traffic Code and the provisions of the State laws above being adopted by reference are hereby adopted as the penalties of violations of the corresponding provisions of this Ordinance.

SECTION R 9.07 SEVERABILITY

If a court of competent jurisdiction declares any provision of this Ordinance or the Uniform Traffic Code as 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 R 9.08 REPEAL OF CONFLICTING PROVISIONS AND EFFECTIVE DATE

This Ordinance shall take effect 30 days after publication as required by law. The Township shall also publish, at the same time, a notice stating the purpose of the Uniform Traffic Code and the Michigan Vehicle Code and the fact that a complete copy of both codes and all other state laws being adopted by reference are available to the public for inspection at the office of the Township Clerk. All ordinances or part 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.

Adopted: July 19, 2010
Published: July 25, 2010
Effective: August 24, 2010