

Baroda Township Ordinance No. 31

Adopted: December 20, 2004

Effective: February 22, 2005

BARODA TOWNSHIP TRAFFIC CODE ORDINANCE

An ordinance enacted pursuant to MCL 257.951-257.995 and MCL 41.181 to adopt by reference the Uniform Traffic Code for Michigan Cities, Townships and Villages as promulgated by the Director of Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 Public Act 306, as amended (MCL 24.201 et seq) and made effective October 30, 2002, and adopted by reference certain state laws; and to repeal all ordinances or parts of ordinances in conflict herewith.

The Township of Baroda, Berrien County Ordains:

Section I Title

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

Section II 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, 1969 Public Act 306, 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 Baroda.

Section III Adoption of Provisions of Michigan Vehicle Code by Reference

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

- A. Chapter 1 (Words and Phrases Defined): MCL 257.1-257.82
- B. Chapter II (Administration, Registration): MCL 257.223, 257.225, 257.228, 257.243, 257.244, 257.255, 257.256.
- C. Chapter III (Operator’s and Chauffeur’s License): MCL 257.301e, 257.311, 257.312, 257.312a, 257.324, 257.325, 257.326, 257.328.

D. Chapter IV (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, 257.716-257.724.

E. Chapter V (License Offenses): MCL 257.904-257.904a, 257.904e, 257-905.

#### Section IV Adoption of Other State Laws by reference

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

- A. Section 3102 of Michigan Insurance Code of 1956, 1956 Public Act 218, as amended, pertaining to required insurance (MCL 500.3102).
- B. Subchapter 6 of Part 811 of the Natural Resources and Environmental Protection Act, 1994 Public Act 451, as amended, pertaining to off-road vehicles (MCL 324.81101-324.81147).
- C. Part 821 of the Natural Resources and Environmental Protection Act 1994 Public Act 451, as amended, pertaining to snowmobiles (MCL 324.82101-324.82158).
- D. Section 703 of the Michigan Liquor Control Act, 1998 Public Act 58, as amended, pertaining to minors and alcoholic liquor (MCL 436.1703).

#### Section V 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 VI 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 VII 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.

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Wendie Shafer, Baroda Township Clerk

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Date

Publication\_\_\_\_\_

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