

**ORDINANCE NO. 53
CHARTER TOWNSHIP OF CHOCOLAY
COUNTY OF MARQUETTE, STATE OF MICHIGAN
CHOCOLAY TOWNSHIP TRAFFIC CODE ORDINANCE**

An Ordinance enacted pursuant to MCL 257.951-257.955 and MCL 42.15, 42.23 and 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 1969, 1969 Public Act 306, 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.

CHARTER TOWNSHIP OF CHOCOLAY
MARQUETTE COUNTY, MICHIGAN

ORDAINS:

**SECTION I
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 "Chocolay Charter 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 Michigan Department 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 Charter Township of Chocolay.

**SECTION III
ADOPTION OF PROVISIONS OF MICHIGAN VEHICLE CODE BY REFERENCE**

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

- A. Chapter I (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, 257.256.
- C. Chapter III (Operator's and Chauffeur's License): MCL 257.310e, 257.311, 257.312a, 257.324, 257.325, 257.326, 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, 257.716-257.724.
- E. Chapter VIII (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 the 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 upon 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.

ROLL CALL:

AYES: Trudeau, Britton, Greenberg, Tabor, Sherbinow, Hill, Fende.

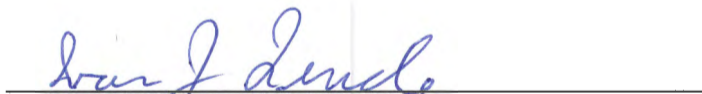
NAYS: None.

MOTION CARRIED.

I certify that this is the official true and accurate copy of Ordinance No. 53 – An ordinance to Adopt Traffic Code Regulations. Ordinance No. 53 was adopted by the Charter Township of Chocolay Board on April 29, 2003.

Dated April 30, 2003.


Arlene E. Hill, CMC
Clerk, Charter Township of Chocolay


Ivan J. Fende, Supervisor
Charter Township of Chocolay

Dates of Publication in the "Mining Journal".

1. March 13, 2003.
2. April 25, 2003.