

**ORONOKO CHARTER TOWNSHIP  
COUNTY OF BERRIEN  
STATE OF MICHIGAN**

**ORDINANCE NO. 66**

AN ORDINANCE ENACTED PURSUANT TO MCLs 257.951 TO 257.955 AND MCLs 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 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.

**CHARTER TOWNSHIP OF ORONOKO, 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 "Oronoko Charter 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, and all future amendments and revisions to said 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 the Charter Township of Oronoko.

**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.*) and all future amendments and revisions to said codes when they are promulgated and effective in this State are hereby adopted by reference:

- A. Chapter 1 (Words and Phrases Defined): MCLs 257.1 to 257.82
- B. Chapter II (Administration, Registration): MCLs 257.225, 257.228, 257.243, 257.244, 257.255 and 257.256.
- C. Chapter III (Operator's and Chauffeur's License): MCLs 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): MCLs 257.601 to 257.601(b), 257.602 to 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, 257.716 to 257.724.
- E. Chapter VIII (License Offenses): MCLs 257.904 to 257.904a, 257.904e, 257.905.

#### **SECTION 4: ADOPTION OF OTHER STATE LAWS BY REFERENCE**

The following provisions of state law and all future amendments and revisions to said statutes when they are promulgated and effective in this State 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 (MCLs 324.81101 to 324.81147).
- C. Part 821 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, pertaining to snowmobiles (MCLs 324.82101 to 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).
- E. The Motor Carrier Safety Act of 1963, being Public Act 181 or 1963, as amended, MCL 480.11, et seq.

## **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 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.

## **SECTION 8: ADOPTION**

This Ordinance is hereby declared to have been adopted by the Oronoko Charter Township Board, Berrien County, Michigan at a meeting held on August 12, 2008.

### **MOTION TO ADOPT ORDINANCE**

Proposed by Board member: Clerk Suzanne Renton.

Supported by Board member: Trustee Rae Holman.

#### **Roll Call:**

Ayes: Trustee Dorothy Hildebrand, Trustee Rae Holman, Trustee Robert Pagel, Treasurer Kendall Hill, Clerk Suzanne Renton, Supervisor Ernest Hildebrand.

Nays: None.

Abstain: None.

Absent: Trustee Philipp Riess.

ORDINANCE DECLARED ENACTED.

The foregoing Ordinance was enacted by the Oronoko Charter Township Board of Trustees, Berrien County, State of Michigan on the 12th day of August, 2008 and approved by its Supervisor and Clerk on said date.

ORONOKO CHARTER TOWNSHIP

By: \_\_\_\_\_  
Ernest Hildebrand, Supervisor

and

By: \_\_\_\_\_  
Suzanne G. Renton, Clerk

First Reading: July 8, 2008  
Second Reading: August 12, 2008  
Publication of Notice: August 20, 2008

ORDINANCE NO. 66 WAS FIRST PUBLISHED IN THE JOURNAL ERA ON THE 5th DAY OF AUGUST, 2008, AFTER FIRST BEING INTRODUCED. SAID ORDINANCE WAS THEREAFTER PUBLISHED IN THE JOURNAL ERA, AFTER ENACTMENT ON THE 20th DAY OF AUGUST, 2008. SAID ORDINANCE IS IMMEDIATELY EFFECTIVE ON THE 20<sup>TH</sup> DAY OF AUGUST, 2008, THE DAY OF PUBLICATION.

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Suzanne G. Renton, Clerk

A TRUE COPY OF THIS ORDINANCE MAY BE OBTAINED FOR PURCHASE AT REASONABLE COST, OR FOR INSPECTION, AT THE ORONOKO CHARTER TOWNSHIP HALL, LOCATED AT 4583 EAST SNOW ROAD, BERRIEN SPRINGS, MICHIGAN, DURING NORMAL BUSINESS HOURS OF 8:30 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY, EXCLUDING HOLIDAYS.