

**GREEN OAK CHARTER TOWNSHIP
ORDINANCE NUMBER 05-2009**

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.

**GREEN OAK CHARTER TOWNSHIP, LIVINGSTON 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 "Green Oak Charter Township Traffic Code Ordinance".

Section 2: Adoption of Uniform Traffic Code By Reference

The Uniform Traffic Code for Cities, Townships, and Villages, Michigan Administrative Code Rules 28.1001 through 28.2075, as amended, 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, is hereby adopted by reference. All references in said Uniform Traffic Code to a "governmental unit" shall mean Green Oak Charter Township.

Section 3: Adoption of Provisions of Michigan Vehicle Code By References

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

- A. Chapter I (Words and Phrases Defined): MCLs 257.1 to 257.82, as amended.
- B. Chapter II (Administrative, Registration): MCLs 257.225, 257.228, 257.243, 257.244, 257.255, and 257.256, as amended.
- 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, as amended.
- D. Chapter IV (Obedience to and Effect of Traffic Laws): MCLs 257.601 to 257.601b, 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, as amended.

- E. Chapter VIII (License Offenses): MCLs 257.904, 257.904a, 257.904e, 257.905, as amended.

Section 4: 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, 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, Public Act 181 of 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 the reference are hereby adopted as the penalties for violations of the corresponding provisions of this Ordinance.

Section 6: Severability

The various parts, sections and clauses of this Ordinance are declared to be severable. 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 a maximum penalty that is determined by the court to be within the authority of the Township to impose.

Section 7: Repeal of Conflicting Provisions, Effective Dates and Savings Clause

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 then in effect repealed by this Ordinance shall continue under the Ordinance provision then in effect.

Section 8: Publication and Effective Date

The Township Clerk shall cause this Ordinance or a summary of this Ordinance to be published in the manner required by law within fifteen (15) days after it has been duly adopted by the Township Board and ordered to be given effect as mandated by Charter and statute.

Section 9: Adoption

This Ordinance was duly adopted by the Green Oak Charter Township Board at its regular meeting called and held on the eighteenth day of November, 2009, and was ordered given publication in the manner required by law. This Ordinance shall become effective immediately upon publication of the Ordinance or a summary thereof.

Michael H. Sedlak, CMC
Township Clerk

Mark St. Charles
Township Supervisor

Adoption Date: November 18, 2009

Publication Date: November 27, 2009

Effective Date: November 27, 2009

CERTIFICATION

I, Michael H. Sedlak, the Clerk for the Green Oak Charter Township, Livingston County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance Number 05-2009, adopted by the Green Oak Charter Township Board at a regular meeting held on November 18, 2009. The following members of the Township Board were present at that meeting: Susan Daugherty, Tracey Edry, Richard Everett, Rollin Green, Wally Qualls, Michael Sedlak and Mark St. Charles.

The Ordinance was adopted by the Township Board with seven members of the Board voting in favor and no members voting in opposition. Notice of adoption and publication of the Ordinance was published in the Livingston County Daily Press & Argus on November 27, 2009. The Ordinance shall be effective immediately upon publication.

Michael H. Sedlak, CMC Township Clerk