

ORDINANCE NO. 66

ADOPTION OF UNIFORM TRAFFIC CODE

TITLE

AN ORDINANCE TO AMEND ORDINANCE 66 OF RAY TOWNSHIP CODE OF ORDINANCES, "RAY TOWNSHIP UNIFORM TRAFFIC CODE ORDINANCE", TO ADOPT SECTION 625(1)(C) OF THE MICHIGAN MOTOR VEHICLE CODE BY REFERENCE AND TO PROVIDE PENALTIES FOR A VIOLATION OF THAT SECTION, PURSUANT TO PUBLIC ACTS 7, 8, 9, 10, AND 11 OF 2012, THE TOWNSHIP OF RAY ORDAINS:

SECTION 1. SHORT TITLE.

This Ordinance shall be known as and may be cited as the "High BAC Amendment" to the Uniform Traffic Code Ordinance.

SECTION 2. PURPOSE AND INTENT.

This is an ordinance to amend Ordinance 66 of the Ray Township Code of Ordinances, "Ray Township Uniform Traffic Code Ordinance", to adopt Section 625(1)(C) of the Michigan Vehicle Code by reference and to provide penalties for a violation of that Section, pursuant to Public Acts 7, 8, 9, 10 and 11 of 2012.

SECTION 3. AUTHORITY.

Ordinance 66 is hereby amended to adopt the following language: The Michigan Vehicle Code, 1949 PA 300, MCL 257.1 to 257.923, as amended, is hereby adopted by reference. MCL 257.625(1)(C) of the Vehicle Code is specifically adopted by reference, pursuant to Public Acts 7, 8, 9, 10 and 11 of 2012."

SECTION 4. VIOLATIONS AND PENALTIES.

The following language is hereby added to read as follows:

Violations and Penalties.

The penalties provided by the Michigan Vehicle Code are adopted by reference. The Township may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days; provided, however, that a violation of MCL 625(1)(C) is punishable by one or more of the following:

- (i) Community service of not more than 360 hours.
- (ii) Imprisonment for not more than 180 days.
- (iii) A fine of not less than \$200.00 or more than \$700.00."

SECTION 5. SAVINGS.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

SECTION 6. REPEAL OF CONFLICTING PROVISIONS.

All Resolutions, Ordinances and parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 7. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 8. PUBLICATION.

A true copy of this Ordinance or a summary thereof shall be published in the Romeo Observer, a newspaper of general circulation in the Township of Ray. A complete copy is available for inspection by the public at the Township Clerk's office.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall take effect thirty (30) days after the publication of a true copy or summary thereof as provided in Section 8.

CERTIFICATE OF TOWNSHIP CLERK

I certify that the foregoing constitutes a true and complete copy of an Amendment to the Ordinance duly adopted by the Township Board of the Township of Ray, Macomb County, Michigan, at a meeting held on the ____1st__ day of May _____ A.D., 20112

I further certify that the following Township Board Members were present at the meeting:

Bohm, Artman, Stier, Grader and Zoccola

and the following Township Board members were absent: None

I further certify that Member Grader moved for the adoption of the Ordinance, and that motion was supported by Member Zoccola.

I further certify that the following Township Board Members voted for the adoption of the Ordinance:

Grader, Zoccola, Stier, Artman, Bohm.

and that the following Township Board Members voted against adoption of the Ordinance: None.

PAULA ARTMAN, Clerk
Ray Township

CERTIFICATE OF PUBLICATION

I, the undersigned Township Clerk of the Township of Ray, do hereby certify that on _____, 2012 the foregoing Ordinance, or Summary thereof, was duly published in the Romeo Observer, a newspaper having general circulation within the Township of Ray.

PAULA ARTMAN, Clerk
Ray Township